~~Ry. VII. b. 10.~~
~~Ry. VII. d. 3.~~
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a
"Memorie"
of the Lineage
Paternal & Maternal
of
(Photo-portrait)

Mary, Elizabeth, Jane-Douglas, ~~Hamilton~~ Napier
Eyster son
Mark Napier.

Private Printer

Various

title pages

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Historical

~~Historical, Geological~~

Historical, Philosophical

Biographical, Geological

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Mark [illegible]

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1875

A

"Memorial"

Historical and Genealogical

of the Lineage of

~~Paternal and Maternal~~

Portrait

Mary Elizabeth Lane Hopkins

Wife

By her Son

Mark Hopkins

Private Printer

Title Page

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This little brochure of family history is in memory of the best of mothers. I have compiled it from the few family papers she had preserved, which are here strung together after a fashion of my own, during a tedious illness. Of course it is only a private print.

In my mother's repositories were found, after her death, crammed, crushed, and mouldering in an old needle-case, or pocket-book, composed of ladies' worsted work, a good many letters, and fragments of letters, chiefly from members of the Lothian family, to her paternal grandfather, Hamilton of Innerwick, who was married to Lady Mary Kerr, sister of the third Marquis of Lothian. These relics are of a purely domestic character. But they are very interesting of their kind, and the old worsted pocket-book had done good service in saving them from the irremediable decay to which all were hastening when discovered by the writer of these pages. Although of no public importance, what has been thus saved is not altogether devoid of historical interest, in so far as it affords some insight into the domestic characters and habits of several noblemen, and noble ladies, who, from their exalted station, were conspicuous in their day.

The noble writers of the familiar letters I am about to record are as follows. They are the chief *dramatis personæ*.

1. Robert third Lord Jedburgh (from whom that title passed into the Lothian family), one letter, 1675.[1]
2. James fifth Duke of Hamilton—two letters, 1727.
3. James sixth Duke of Hamilton—two letters, 1754.
4. Archibald first (and last) Duke of Douglas—four letters, 1729, 1733.
5. William third Marquis of Lothian—eight letters, 1724 to 1767.
6. William Henry Earl of Ancrum, afterwards fourth Marquis of Lothian—one letter, 1747.
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A "MEMORIE,"

HISTORICAL AND GENEALOGICAL,

OF

MY MOTHER'S PATERNAL LINEAGE;

NAMELY, THE HAMILTONS OF INNERWICK; THE LOTHIAN KERRS;
AND THE EARLS OF ANGUS, LORDS OF BONKYL
IN THE FOURTEENTH CENTURY;

INCLUDING

AN EPISODICAL ACCOUNT

OF

THE FIRST AND LAST DUKE OF DOUGLAS,

AND HIS BARBAROUS TREATMENT OF HIS ONLY SISTER,
THE BEAUTIFUL AND CALUMNIATED HEIRESS
OF THE HOUSE OF DOUGLAS.

EDINBURGH: PRINTED FOR PRIVATE CIRCULATION.

1872.

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It will be seen that the greater proportion of these letters are from William third Marquis of Lothian, my mother's grand-uncle,[1] to her grandfather, Mr Hamilton of Innerwiek and Ballinerieff, estates inherited through a long line of male ancestors. Innerwiek, in East Lothian, gave the prineipal title to my mother's family. Ballinerieff, in West Lothian, near Bathgate, eontained the chief seat of the family.

Her paternal grandfather may be regarded as the eentral figure in the domestie *tableau* which these family relics eompose. In every difficulty or matter of importance all seem to have leant upon the Laird of Innerwiek. His contemporary and friend, Sir Robert Douglas of Glenbervie, emphatieally reeords him (in his Baronage of Seotland) as "a man of great integrity and honour,"—a eulogy amply verified by the testimony of his distinguished eorrespondents, as well as by the offices of public trust conferred upon him. He sat in several Parliaments as Member for West Lothian, the county of his family residence of Ballinerieff; he was Postmaster General for Seotland; and Seeretary, for Seoteh affairs, to Frederick Lewis, Prinee of Wales, father of George the Third.

The Laird of Innerwick, moreover, represented the oldest eadet,

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[1] William, third Marquis of Lothian, was son of the second Marquis and Lady Jean Campbell (his cousin-german), a daughter of Archibald Earl of Argyle, executed for high treason in 1685. Lady Mary Hamilton was their fourth and youngest daughter. Her brother, the third Marquis of Lothian, succeeded in 1722, but was a peer during his father's lifetime, as Lord Jedburgh, a title which passed to the family, under a special destination, from Robert third Lord Jedburgh. His marquisate of Lothian he enjoyed for many years, surviving until 1767, in which year he died, and was buried at Newbottle Abbey. He was for several years Lord High Commissioner to the Church of Scotland, and also Lord Clerk Register in Scotland, and one of the sixteen Representative Peers.

in lineal male descent, of the ducal house of Hamilton; and the Earls of Haddington, again, are cadets of Innerwick. The head of that house whom we are now recording was much esteemed, and often consulted, by his chiefs, the Dukes of Hamilton of his own day. But to trace his far-descended genealogy at present would interrupt the narrative immediately in hand, by plunging us into a genealogical deduction of five centuries, only of interest (saving the family itself) to such as are devoted to researches of the kind,—the *Isaac Waltons* of genealogies in general, whose gentle craft is more to be honoured than "Piscator's." For surely there is more of the chivalrous historical spirit in "picking pedigrees" than in pricking trout.

My mother was the eldest daughter of Colonel Archibald Hamilton, fourth son of Alexander Hamilton of Innerwick and Lady Mary Kerr. Her maiden name was

Mary, Elisabeth, Jane Douglas, Hamilton.

The surname of Hamilton she exchanged for that of Napier on the 30th March 1796, the day of her marriage to her cousin, Francis Napier, eldest son of the Honourable Mark Napier, Major General, sixth son of Francis fifth Lord Napier and Lady Henrietta Hope, fourth daughter of Charles first Earl of Hopetoun. Her Christian name of "Jane Douglas" was derived from the sadly celebrated heroine of the great "Douglas cause," the final issue of which, in favour of her son, this noble and unfortunate lady did not survive to rejoice in,—persecuted to her grave by those who ought to have

been foremost in her defence. She stood in the relationship of cousin-german to Lady Mary Kerr, my mother's grandmother; and during her deepest distress, and when almost deprived of the means of subsistence, her kindest and staunchest friends were Mr Hamilton and Lady Mary. But of this more particularly in the sequel.

The precise date of the marriage of Hamilton of Innerwick to Lady Mary Kerr I have not discovered. Probably it was some time in the year 1723, as their eldest child and heir was born on the 19th of April 1724. Upon this happy occasion the following letter of congratulation was written by William third Marquis of Lothian, to his brother-in-law :—

Dear Mr Hamilton,—I am very glad of the good accounts you have been pleased to let us have of my sister's safe delivery, and I wish you mueh joy of your son. Be assured nobody can do it with more sincerity. Do me the justice to believe I am, and always shall be, dear Mr Hamilton, your most faithful and most obedient servant, Lothian.

Newbattle, April 20th, 1724.

Please make my most humble serviee aeeeptable to my sister and *the young Squire.*[1]

But this first promise of a young Squire to the old house of

[1] At the comparatively late period of the first quarter of last century the orthography prevailing among the highest and best educated circles in Scotland was still very variable, and often extremely grotesque. The only liberty I have taken with these letters is to deprive them of a characteristic which is very uncomfortable to the modern eye, and is apt with some to suggest the idea of a deficiency in ordinary education,—a very mistaken notion.

Innerwick failed, the boy having died in infancy. Doubtless the following letter of condolence (undated), from the same Marquis of Lothian to his brother-in-law, refers to the sad event :—

Dear Mr Hamilton,—I was sorry, and much surprised, when I got your letter last night with the account of your son's death. I pray God this heavy affliction may be blest to you both. Our duty is to submit to God's will in all things, in wisdom and in goodness to his people, afflictions as well as prosperity; and submission is a sign that God has blest the affliction. I pray that God may in his great goodness and mercy make up your loss, which he can easily do. I thought to have waited on my sister and you this day, but I believe it may be more proper afterwards. You have my sympathy and best wishes.

Desire my sister to guard against two extremes, which are,—immoderate grief, and keeping all within, to hurt her health. I hope God will direct her. I trust in God your son is above all affliction—for ever happy. Dear Mr Hamilton, your much obliged and faithful servant,

Lothian.

This very sensible, soothing, and Christian condolence speaks well both for the head and heart of the writer. The Marquis' prayer, somewhat oddly expressed, "that God may, in his great goodness and mercy, make up your loss, which he can easily do," would seem to indicate that this was the only hopes of the family at the time. But they came fast enough afterwards. Among these family relics, on a small slip of paper, written in a contemporary hand, they are thus enumerated ; but, provokingly enough, the date of the marriage of their parents is left blank. It is labelled,—

Note of the Births of Mr Hamilton's Children.

Alexander Hamilton of Innerweek, Esqr., and Lady Mary Kerr were married.

The births of their children—

April 19, 1724, . . .	Mr William Hamilton.
November 14, 1725, . .	Mr James Hamilton.
May 1, 1727, ...	Mr Alexander Hamilton.
July 14, 1728, . . .	Mr Archibald Hamilton.
July 8, 1729, . . .	Mr Robert Hamilton.
April 12, 1732, . . .	Miss Jean Hamilton.

Archibald Hamilton, the fourth in the above list, was my mother's father. No others appear to have been born of this marriage. The tone of Lord Lothian's condolence on the death of the eldest boy, William, indicates that Mr Hamilton, no less than Lady Mary, was much afflicted by the sudden deprivation, which appears to have been quite unexpected. That he dearly loved his children, and that his parental rule was as gentle as it was judicious, is sufficiently evinced by the following letter, addressed to his four remaining boys. It appears to have been written from London at a time when Mr Hamilton was there attending to his duties in Parliament, and the boys at Ballincrieff with Lady Mary, pursuing their studies under a tutor of the name of Johnston. Unfortunately only a single sheet of this quaint and interesting letter has escaped the tooth of Time. It will be observed that Mr Hamilton addresses the two youngest boys, *Archibald* and *Robert*, as "*you two rogues*," and the two eldest, James and Alexander, as "*you two pretty fellows;*" but he is always careful to remind them that they are all "*Gentlemen.*" The address on the back is,—

To James, Alexander, Archibald, and Robert Hamiltons.

Gentlemen,—I received your letter and petition, which were most agreeable to me, and I am very ready to grant your desire. But I doubt much if you can

get a tolerable good new fiddle at that price, though it comes to a great deal of money, which would buy some good new books. In my opinion it would be far better if you could get a second-hand fiddle for your money, even at that price you propose; for since you have a mind to it I will not grudge it. But all my concern is that you get a good one, that will not *squeak like a pig*. If you have a mind, I shall enquire here for one at second-hand, but all this I leave entirely to yourselves. Mr Johnston will advise you, and pray let me know your resolutions.

I believe you are all very diligent at your books; so pray, Gentlemen, let me ask a favour of you in my turn,—for *manus manum fricat*,—and it is only this, that *you two rogues* will compliment me once a week with clean, well written versions, that I may know who writes best, and has the best fluency in the Latin; and let them be every way your own.

As to *you two pretty fellows*, I need say little, for I know your application and diligence. I shall only tell you, that the greatest compliment and favour you can do me is to be exact, and very perquire,[1] in your parts of speech and constructions. Pray, *Archie*, take care that *Bob* does not get the start of you, for I know he has a great mind to it.

Gentlemen,—If I remember right, all of you promised to go straight to your books when you got up in a morning, without going to any diversion before; and Mr Johnston was to give you so much more time to play in the evening. Write me how that matter stands, and how many lines in a day you are able to construct, and interpret, in Ovid. Let me likewise know how your *diversions* go on, and of what kind they are, for I am sure the . . . . . .

No more of this charming letter remains. But enough has been saved to assure us that the father who wrote it must have been good, and beloved, in all the relations of life. The little paternal touch of pardonable pedantry, so delightfully characteristic, conveyed in the Latin quotation—"for *manus manum fricat*"—as if the boys, even "*you two rogues*," were familiar with it, is evidently a lure, thrown out for the worthy dominie, the godly and

[1] Accurate.

well-learned Maister Johnston, to improve the occasion, which we can easily fancy him doing in some such fashion as this :—"Dear boys—young gentlemen, I should say—your honoured father is here quoting a Latin proverb that is found in the works of the great Erasmus—*manus manum fricat*—the literal idea of which is the mutual co-operation of the two hands in rubbing them together. There is another form of the same phrase, where the action in *washing* the hands is substituted for the general idea of friction,—'*manus manum lavat.*' But the moral thus proverbially conveyed is that of the mutual interchange of good offices which the different members of the same body politic naturally render to each other in a well regulated state. Now, this moral sentiment could not be better typified than by the constant and natural co-operation of the two hands of the human body. In reverential mood they are uplifted in prayer together. In despairing mood they wring each other with sympathetic distress. But when the heart is elate with triumph, or stirred with admiration, our hands become the cymbals of gladness, and make a 'joyful noise together.' And so the nations of the earth, and the great powers of nature, are figured as rejoicing with their *hands*, by the Psalmist of God: 'O! *clap your hands*, all ye people, shout unto God with the voice of triumph.'—*Psalm*, 47, 1. And again,—'Let *the floods clap their hands*, let the hills be joyful together.'—*Psalm*, 98, 8. And now, boys, lessons being over, you had best proceed to a practical exemplification of the proverb in its *ablutionary* form, 'manus manum *lavat*,' before we join your lady mother at luncheon."

The following letter to Mr Hamilton of Innerwick, from Anne Countess of Moray, Lady Mary's aunt, verifies the date of the birth of their third son, Alexander, as given in the list already quoted :—

Sir,—I return you my hearty thanks for the good news you send me of my dear niece being safely brought to bed of a boy. I wrote yesterday to her, believing this time was near her reckoning. I sent my letter to Lady Heneret[1] [*here a small portion of the letter has been torn away*], not knowing where to send it in Edinburgh. I give my affectionate service to dear Lady Mary. That God may bless you and her with long life, and good health, and all manner of happiness your own hearts can wish, and the dear children may live to be a comfort to you, and an honour to us all their relations, is the hearty and sincere prayer of, dear Sir, your most humble servant and affectionate aunt,

A. Morray.[2]

My Lord gives you and Lady Mary his most humble service.

Dunibristle, May 3d, 1727.

The next year affords the occasion for a like congratulation from the same noble lady to Mr Hamilton. The following letter refers to the birth of my mother's father, Archibald Hamilton, on the 14th July 1728:—

Sir,—I heartily congratulate my dear niece her safe delivery of another brave boy, and wisheth you both much joy of him. I hope to see you before I leave

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[1] Lady Henrietta Kerr, 8th daughter of William third Earl of Lothian, and relict of Sir Francis Scott of Thirlestane (Lord Napier's ancestor), died at Edinburgh, 1741, *ætat.* 90.

[2] Anne Countess of Moray was the wife of Charles fifth Earl of Moray, and relict of Richard fourth Earl of Lauderdale. She was the eldest daughter of the unfortunate Earl of Argyle executed for high treason in 1685, and consequently canonised by the Kirk. Thus she was aunt to William third Marquis of Lothian, and his sister, Lady Mary Hamilton, being the sister of Lady Jean Campbell, spouse of William second Marquis of Lothian, as already noted. My mother's father was thus lineally descended from the two heads of the House of Argyle who both successively lost their own heads. The *wicked Marquis* was his great-great-grandfather, and the *weak Earl* was his great-grandfather. My mother's younger and only sister was christened *Campbell* Hamilton, in memory of that illustrious descent.

Edinburgh, so shall add no more at present (being interrupted by visitors), but that I ever am, dear Sir, your most affeetionate aunt, and humble servant.

A. MORRAY.

I give my affeetionate serviee to my dear niece.

Edinburgh, July 15, 1728.

The only other letter from this amiable Countess found among my mother's papers is one dated two years later. It evinces her great regard and affection for Mr Hamilton, who, with Lady Mary, had just been paying a visit to the Earl and Countess at their seat of Dunibristle, in Fife. It is addressed to her niece, Lady Mary Hamilton.

MY DEAR NIECE,—I am impatient to hear Mr Hamilton and you got safe home. I was very concerned that day you went from this, Mr Hamilton being seized with a violent pain in his left side, when sitting by me after breakfast, which he told me he had more violently the day before when sitting at dinner. I was positive for his bleeding before he went away that morning, but he would not hear of it, lest it had frightened you. But I eonjured Mr Kerr that it should be done as soon as he arrived at his own house. Perhaps that stitch has not as yet returned; however, for God's sake, cause him bleed; for a pleurisy begins after that manner, and if it return without bleeding before the stiteh returns it may prove dangerous. I know I need say no more to you to put you upon your guard, you are so deservedly fond of him. Our servants are all employed in the fields; so I have ordered J. English, at the south ferry, to hire a man to send an *express* with this. I give my affeetionate service to dear Mr Hamilton, as my Lord does to you both; and I am, unalterably, my dear niece, your most affectionate aunt, and humble servant, A. MORRAY.

Dunibristle, Sepr. 7, 1730.

Remember the coaehman.[1]

It would be well had the Marquis of Lothian been as particular

[1] "Remember Dowb."

as his good aunt in dating his letters. A chronological arrangement of these relics might then have been adopted. As it is, we must take them very nearly as they come. Fortunately, however, the nature of the correspondence renders a methodical arrangement for the most part immaterial. The following letter is from the same Marquis of Lothian to Mr Hamilton.

Dear Mr Hamilton,—My own inclination was to wait of you and my sister to-morrow, if I could do it, but Mr Hepburn is to be here upon necessary business. I must own I was desirous to delay his coming for some days, but my wife importunes me to stay, which I hope my sister and you will pardon.

Notwithstanding my impertinence, you must pardon my insisting on your promise to the Duke of Gordon, and your humble servant, to go north, which I can't delay any longer. I need not trouble you with the many and, to me, weighty arguments which make me so earnest to persuade you, but submits all to the friendship I have so good reason to know, and, from your good nature, to expect the continuance of; hoping also that my sister will indulge me in readily agreeing to want you so little a time; and, if my wish could be of any service, it is, that a great many happy years may make it up.

I propose to stay there one week, and no more, which I believe you will think the least we well can.

I wish you joy of your youngest son. Give my most humble service to my sister, and be assured I am, dear Mr Hamilton, your most faithful and affectionate humble servant. Lothian.

Newbattle, July 26.[1]

In the autumn of 1727 the Postmaster-General was busy canvassing his influential friends and well-wishers for his seat in Par-

[1] The reference in this letter to the *recent* birth of Mr Hamilton's "youngest son" proves the year in which it was written to have been either 1728 or 1729. Archibald Hamilton (my mother's father) was born, as we have seen, on the 14th of July 1728; so the reference may have been to that birth. But his younger brother, Robert Hamilton, was born on the 8th of July 1729, to which birth the reference might equally apply. He was the youngest son of all.

liament as Member for West Lothian. Among these he was so fortunate as to reckon his illustrious chief, who appears to have entertained for him the same great esteem and affectionate regard that so many of his noble friends expressed in terms of unusual warmth. The following letter on the subject is from James fifth Duke of Hamilton :—

London, August 12th, 1727.

Sir,—I received your letter some time ago, and beg to assure you that nothing but reasons that will satisfy yourself shall ever engage me in an opposition to one for whom I have so great a value and esteem as Mr Hamilton. As yet I am sure I am not determined to be against you, but rather hope to be able to give you what assistanee and interest I have in Lithgowshire, especially if you put it in my power to be any way useful in aecommodating matters betwixt you and your antagonist, towards which I would willingly eontribute my best offices, and to anything whereby I may shew you how sincerely I am, Sir, your most affeetionate humble servant, Hamilton & Brandon.

His Grace very soon made up his mind to give his unqualified support to this oldest cadet of his house, whom he esteemed so much, as appears by his next letter.

London, 2d September 1727.

Sir,—I reeeived your letter, and return you a great many thanks for the assuranees you make me of your friendship, whieh I shall always have a particular value for, and embraee every opportunity of giving you proofs of it. I have by this post written to *Dechmont*,[1] desiring his interest for you at the election for

[1] Alexander Hamilton of Dechmont and Pencaitland. Dechmont has been immortalised by Sir Walter Scott in a ballad, left unfinished, but through which his picturesque and pictorial genius shines like the light through the stained window of a baronial hall :

On Dechmont head wight Wallace stood,
He blew his bugle round,
Till the wild bull in Cadzow wood
Has started at the sound.

Lithgowshire, and have likewise sent directions to the town of Borrowstounness to the same purpose.

I heartily wish you success, and am very sincerely, Sir, your affectionate humble servant, HAMILTON & BRANDON.

To

Alexander Hamilton of Innerweek, Esqr., to the care of the Postmaster of Linlithgow, Scotland.

But while the member for West Lothian was thus successfully canvassing in the matter of his election, his own interest and advice was continually sought for from all quarters, and even by a young nobleman in an affair of the heart. The Laird of Innerwick's head appears to have been thought equal to all questions, as his heart was open to all who appealed to it.

James sixth Lord Cranstoun was the son of William fifth Lord Cranstoun and Lady Jean Kerr, eldest daughter of William second Marquis of Lothian and the Argyle lady. Consequently he was nephew to William third Marquis of Lothian and his sister, Lady Mary Hamilton; and so he stood in the relationship of cousin-german to my mother's father, Archibald Hamilton. He succeeded

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St George's cross, o'er Bothwell hung,
Was waving far and wide,
And from the lofty turret flung
Its crimson blaze on Clyde!
And, rising at the bugle blast,
That marked the Scottish foe,
Old England's yeomen mustered fast,
And *bent the Norman bow.*
Tall in the midst Sir Aylmer stood,
Proud Pembroke's Earl was he———

Tennyson's jingling spurt about the Balaclava insanity is but a penny song to this.

to the title by the death of the fifth Lord, on the 27th January 1727. Among my mother's papers I find the following somewhat enigmatical letter from him to her grandfather, dated in 1738 :—

My dear Hamilton,—As it is common for people to use the greatest liberty with those for whom they have the greatest esteem and regard, and this being *absolute truth* in the present case is the only excuse I shall make for this trouble.

In short, dear Hamilton, there is a young lady who lives not a great many miles from this, whose name you are not acquainted with ; nor will I venture to give you any idea of my thoughts of her, lest that you, being the man in the world I wish the soonest to see the original, should think me a bad painter. Her father, I'm afraid, I shall find difficulty to deal with ; nor can I frame a method by which I can more probably hope to succeed than by your honouring me with delivering the proposals. The character and general esteem the world in justice allow you make me flatter myself that if you should think me deserving so much friendship as to undertake this trouble, I should find a possibility of overcoming at least any scruples the father may have.

I do assure you, dear Hamilton, the least delay in this affair is most dangerous ; and if it was not what I most earnestly wish to succeed in, I would not have given any trouble to you, for whom I have so great a regard.

May I therefore hope to have the happiness of seeing you here in a few days, which will be the greatest obligation to, my dear Hamilton, your most obedient and most humble servaut, Cranstoun.

Crailing, Sunday night.

Forgive my entreating this may be a secret for some time.[1]

The secret, so far at least as the lady's name is concerned, has been so well kept that we are not certain of it yet. Whether this was a case in which the course of true love did or did not run smooth ; whether the excellent Laird of Innerwick really undertook, and successfully, this most delicate mission of Hymen, to be delivered, not by the *postman*, but by the Postmaster-General for

[1] This letter is marked "1738," in Mr Hamilton's handwriting.

Scotland in person, Secretary of State for the Prince of Wales in Scotland,—proposals of marriage from a young nobleman to a young lady whom this distinguished emissary had never seen, whose name he "was not acquainted with," and which meanwhile was withheld from him, whose father, he is at the same time informed (no very encouraging inducement), would be found "difficult to deal with,"—still remains *in nubibus* of the history of the noble family of Cranstoun.

Turning to the record of that history in the Peerage of Scotland, we find that this James sixth Lord Cranstoun succeeded to the title in 1727, and that he married "Sophia, daughter of Jeremiah Brown of Abscourt, in Surrey, with whom he got £12,000, and she afterwards succeeded to a larger fortune." He formed no other matrimonial alliance that is recorded, and so far we might suppose that Sophia Brown was his only lady-love, heiress to this Jeremiah Brown of Abscourt, the formidable parent whom a gallant young nobleman dreaded to approach in person with an offer of marriage. But then we find that of seven children of this marriage William seventh Lord Cranstoun was the eldest, and he was only born at Crailing 3d September 1749, eleven years after the labour of love committed to his grand-uncle, Innerwick. Moreover the marriage settlements, "for the benefit of Sophia Lady Cranstoun and their issue," were only arranged under an Act of Parliament in 1756. If this lady be the first and only love of James sixth Lord Cranstoun, he must have served as long for her as Jacob for Rachel, notwithstanding the persuasive powers of his uncle Innerwick.

Another letter from the same nobleman to Mr Hamilton, also among these relics preserved by my mother, rather tends to increase the puzzle. It is dated "Crailing, August 12, 1739," and addressed "To Mr Hamilton of Innerweek, at Ballincreiff." Whether the matter of it relate to the marriage in question, as being not yet accomplished, is not very easy to gather from the context. There is no special mention of his bride, while the Dowager, his mother, is particularly referred to. Neither is it quite clear whether the gratitude expressed to his uncle in those words, "the friendly manner in which you were pleased to grant me this favour," refers to the *hymeneal* favour. Probably it does.

Sir,—The hopes I had of having myself the pleasure of delivering the enclosed, which, till a few days ago, I thought always would have been in my power, prevented my sooner sending this; but that you may not think me capable of neglecting a matter of such consequence, I do assure you, since that very day I returned from Edinburgh I had always a copy of this lying ready by me.

I know, my dear Hamilton, you won't doubt my sincerity when I assure you it was ever a great satisfaction to me to flatter myself that you had any regard for this family, which the friendly manuer in which you were pleased to grant me this favour gave me a most convincing proof of, and which I shall ever gratefully acknowledge.

My mother, who now despairs to hear from Lady Mary, yet, upon the account of the ancient correspondence there was betwixt them, desires once more to be remembered to her.[1] I and all here beg their humble duties, and join with me in entreating that we may have the happiness of both your company here this harvest, as you were pleased to promise.

I am, my dear Hamilton, your most obedient and most obliged humble servant, Cranstoun.

[1] They were sisters, both being daughters of the unfortunate Earl of Argyle.

The following letter, from the Marquis of Lothian to his brother-in-law, found among the mouldering contents of the old pocket-book, lets us know that the Postmaster-General had broken a bone of one of his legs, which rendered him *hors de combat*, and laid him up for a time at the place where it happened, which it seems was neither in London nor at his own abode in Scotland. The Marquis, however, was in London, from which the letter is dated, still evincing that unabated and affectionate regard for his sister's husband, which no cloud seems ever to have crossed to the end of their days. It is dated February 21, 1740.

Dear Sir,—I'm hopeful a little time will complete your cure, so as you shall be able *to walk as well as ever*. But such things must have time; a broken bone is no slight affair.

I am of your opinion that a two-wheel'd chaise may be a proper way as any for your journey to town; and if that I have in town can be of any use to you I need not tell you how much it is at your service. I shall expect to be employed; and be assured your commands, whatever they may be, shall be punctually obeyed. All your friends here are well.

Dear Mr Hamilton, yours, Lothian.

From the context of the Marquis's next letter, it would seem that Mr Hamilton's necessarily long confinement, in consequence of so serious an accident, had caused him great distress of mind, by reason of compelling his absence upon some important occasion when his friends looked anxiously for his counsel and assistance. Lord Lothian's letter is anything but explanatory,—a fact not to be wondered at, considering he could not have foreseen that this sort of use was to be made of it little short of a century and a half after its date. Not that it is dated at all. But as the letter refer-

ring to the accident bears date February 1740, and that that which is given below repeats the kind offer of the Marquis to send his own carriage to convey the invalid to London, we cannot be far wrong in assigning a date to it somewhat further on in the same year. Now, the year 1740 was big with portentous events and anxious crises, parliamentary and public—the commencement of the war with Spain, the impending fall of Walpole, and the naval victories of Vernon and Anson.

Dear Sir,—I shonld have a very bad opinion of myself, if I did not share in what gives my worthy and good friend the least nneasiness; and as, God be thanked, all danger is over, could I find ont the smallest reason for your present uneasiness, I should sympathise with yon. But you never could have less reason for it. Yon may be sure your friends were sorry to want your assistance when that affair of so great consequence was depending; but now that it is well over yon should be *as merry as a cricket*. However, I intend to let your friends know the reason of your uneasiness, which can't be amiss.

Lord and Lady Fitz.,[1] Lord and Lady Ancram, Lord Mark, &c., are all of your opinion as to what has happened in *Rob.'s affair;* only I could not think so; and so it has come ont that I was in the right, and *that affair* is over; which vexes me heartily, as it was his own doing, and I am persnaded that had he not been his own enemy all the rest could not have prevented *his success;* he is the only person suffers.

I suppose this night's papers will inform you that there is a twenty-gun ship sail'd two days ago to stop our fleets coming from the West Indies.[2] You'll be so good as to let me know what my sister writes. The only reason that hin-

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[1] I am unable to say who Lord and Lady Fitz. are. Perhaps this may refer to some matrimonial speculation, such as Innerwick suggested, which had fallen through.

[2] In the course of the summer and autumn of 1740 the Government sent out a great armament of ships and troops to Jamaica to reinforce the victorious and popular Admiral Vernon, who was there with his fleet, after taking the town of Porto Bello, and demolishing and levelling all its forts and castles with six men-of-war only. On the 17th of March 1740, both Houses went up with addresses of congratulation to the King upon the great event.

dered my writing to her was that I could not say anything of you.[1] I proposed sending my chaise all or part of the way for you, if you will allow of it; therefore I beg to know if it can be of use to you.

All your friends here are well, and will be vastly glad to see you, which I hope may be very soon. You know I lodge at Oliphant's, foot of the Haymarket. May I beg to be employed to get you lodgings near it. I know what you choose to give, and shan't exceed it. I am, with sincere affection, yours,

LOTHIAN.

Regarding Mr Hamilton as a grave and potent senior, which we can hardly fail to do, the *merry-cricket mood* so affectionately enjoined by the sympathising Marquis,—and, by the way, his mode of spelling it, "as *mirry as a creekat*,"—reminds us somewhat of the canty chirrup (or cheer-up) of that social insect,—seems almost incongruous in its application. Still, even in that scrap of a letter to his four young boys, enough of the merry mood shines through to enable us to guess that the Member for his county, like John Gilpin,

——— "had a pleasant wit,
And loved a timely joke,"

a "merry guise" which doubtless stood him in good stead on the hustings. Curiously enough, however, we do find among these relics a sort of *round-robin* from the Lothian party in London, including Mr Hamilton, addressed to Lady Mary in Scotland, which certainly exhibits her absent friends at headquarters in a very lively mood, especially her dearly beloved spouse, who kicks his

[1] It would seem from this that Lady Mary, who was in delicate health, was not with her husband while he was laid up with his broken leg. He was always anxious to withhold anything that might alarm her about himself, and Lord Lothian's expressions look as if she had not, in the first instance at least, been made aware of the accident.

heels higher than any of them. It is written on a shabby sheet of paper, which had been enclosed to Lady Mary, and the manuscripts of the three parties to it closely and confusedly crowded together. For the sake of distinctness, I shall here separate them.

(*At the top of the sheet Mr Hamilton writes, in very large characters*)—

My dearest Life,—I designed to have wrote you a long letter to-night, but am *debaucht* by your brother and sister. Let them answer for themselves. So adieu.

(*Immediately under this the Marquis writes*)—

Dear Sister,—I have all reason to be ashamed that I have neglected writing to you so long, and upon refleetion I have found out that your too great goodness, and my being so sure of it, makes me take very inexcusable liberties. However, when I ean do you any real service, you shall know the truth both of my affection and friendship for you and yours.

Dear Sister, yours, Lothian.

(*Close under this the Marchioness writes*)—

Dear Sister,—I acknowledge what my brother says to be true, and beg you will be so good as to exeuse both him and us, as your Ladyship is our agreeable subjeet of eonversation, and that I ean assure you that my brother is in perfect good health.[1] I need add no further trouble, but my sincere and best wishes, in the most affeetionate manner, to my dear sister. Yours,

M. Lothian.

(*The following is again in the handwriting of the Marquis*)—

P.S.—Mr Hamilton desires I should give you his eharacter in this plaee, which I am not very fond to do till a more favourable opportunity.

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[1] Meaning Mr Hamilton.

(*Mr Hamilton writes immediately under the above*)—

Ha! *Panny*,—I give his Lordship, and all man and womankind, defiance. Without troubling your Ladyship's *charity*, I can apply to your *judgment*. I am, Madam, yours.

From Lothian House, in Woodstock Street,
20th February /54.[1]

This jocose missive, it will be observed, is dated fourteen years after that in which the Marquis of Lothian so earnestly entreats Innerwick to dismiss all anxiety from his mind, and be as "mirry as a creekat." It is interesting to note this lapse of time, as showing how constant and unvarying was the affectionate regard which his noble relatives entertained for my mother's grandfather, a regard they never omitted an opportunity of expressing in terms of unmistakable sincerity. In further illustration of this, I here select another of these interesting relics, which, as the year is not given, may be as well inserted in this place as any other. It is from the same Marquis of Lothian to his brother-in-law, and is dated "*Dalkeith*, October the 25th."

Dear Mr Hamilton,—Words are so poor a return for the friendship and substantial good offices you show to me and family that I cannot prevail upon myself to express the grateful sense I have of it, but comfort myself that you have the charity, for me, to believe my impatience for the first opportunity to serve you to the utmost of my power. I propose waiting of my sister and you beginning of next week, therefore shall give you no further trouble now, only to wish you and the ladies a safe journey.

Dear Sir, yours, Lothian.

[1] No signature, but in Mr Hamilton's handwriting (along with the date), and in letters of very exaggerated size. "Ha! Panny"—which would seem to be an affectionate *Tee-name* bestowed on Lady Mary by her husband—is very distinetly written, and with an emphatic flourish of the pen.

The *round-robin* from Lothian House would doubtless have the desired effect of cheering Lady Mary, who was in delicate health,[1] and during the frequent and necessary absences of her husband in London,—of whom (as we learn from the Countess of Moray) she was "so deservedly fond,"—remained at Ballincrieff with the children. But we must now return to the Marquis's enigmatical letter of the year 1740, in which he says,—"Lord and Lady Fitz., Lord and Lady Ancram, Lord Mark,[2] &c., are all of *your opinion* as to what has happened in Rob.'s affair; *only I* could not think so, and so it is come out that I was in the right." This enigma is scarcely to be solved now, but some curious light is thrown upon it by the old papers my mother had preserved.

There can be no doubt that the Marquis refers to his youngest son, the only brother of Lord Ancram. From all accounts Lord Robert Kerr was gifted with great personal attractions, and winning manners, indeed one of the handsomest and most elegant of the young Scotch nobility. He appears to have been reckless in money matters to a degree that had greatly offended the Marquis; but it says much for this youth that his uncle Innerwick took the greatest interest in him, and warmly espoused his cause, to the effect, at least, of pleading earnestly for milder measures, and a more judicious mode of reclaiming the erring boy than his father, who doubtless had been provoked beyond bearing, seemed inclined to adopt. His granduncle, Lord Mark, greatly distinguished as a

[1] The Duke of Douglas, in several letters to Mr Hamilton (to be afterwards given), refers to his cousin Lady Mary as being "so tender," and "heartily wishes her better health."

[2] Lord Mark Kerr, the Marquis's uncle, the preux chevalier of the army.

soldier,[1] finically refined both in dress and address, and in points of personal honour punctilious to a degree, a character, in short, that reminds us at once of Shakespeare's Hotspur and the dainty carpet knight that riled that fiery warrior on the field of Holmedon, had obtained for young Lord Robert a cornetcy in his own regiment. This was no small favour, for Lord Mark Kerr's 11th Dragoons was the crack cavalry of Scotland. And no braver or more beautiful cavalier could have adorned the ranks in which he rode than young Lord Robert Kerr.

What brought him into the scrape which I am enabled only partially to illustrate from my mother's papers, does not distinctly appear. But it would seem to have been nothing worse than some reckless system of extravagance, which had involved his father's finances to an extent that greatly exasperated the Marquis, and caused his patience and forbearance to give way entirely. From Mr Hamilton's letters on the subject it would even seem that this gallant youth had subjected himself, by some misconduct, to the indignity of personal "confinement," although it is to be hoped that in using that expression his uncle Hamilton only referred to

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[1] Lord Mark's first commission as Captain was dated 1st January 1693; he was wounded in the arm at the battle of Almanza, 25th April 1707; commanded the 15th Foot, and acted as Brigadier-General at the capture of Vigo; commanded the 29th Foot in 1712, and the 13th Foot in 1725; and in 1732 was appointed to the command of the 11th Dragoons, which he held while he lived. He was Governor of Guernsey in 1740, and received the appointment of Governor of Edinburgh Castle on the 20th July 1745. In 1751 he was Major-General on the staff in Ireland, and ranked as General in the army from 1743. He died at London 2d February 1752, in the 77th year of his age, unmarried. He was succeeded in the command of the 11th Dragoons by his grandnephew, Lord Ancram, who, as his Lieutenant-Colonel, had commanded the same at the battle of Culloden.

his having been placed for a time under close arrest. This premised, we must now have recourse to the old pocket-book.

Upon the same sheet of paper we find the rough drafts, in Mr Hamilton's handwriting, of three anxious letters which this kind and judicious relative had written on the subject of "Rob.'s affair." As these rough drafts or scrolls are all crowded together, I have here numbered them in their order. No. 1 is the portion of a draft which commences, "DEAR SIR," having been intended for a letter to George Master of Ross (afterwards thirteenth Lord Ross), who had been long married to Lady Betty Kerr, Lady Mary Hamilton's elder sister. But Mr Hamilton having determined, on second thoughts, to write to the Marquis himself, this draft (which is only a part of the letter) has been corrected throughout accordingly, as will be seen in the print of it below. No. 2 is a complete draft of a letter to the Master of Ross, the Marquis's brother-in-law. No. 3 is the draft of a letter which Mr Hamilton had written at the same time to the Marchioness of Lothian, Lord Robert's mother.

[*No.* 1.]

DEAR SIR,—I received your letter with the Marquis's resolution, which is at once to throw away all the money he has already bestowed on his son, by losing the advantages that reasonably may be expected from such an education being bestowed on a good genius. For to make Lord Robert retire in the prime of life is to make ~~the Marquis~~ your Lordship sure that ~~he~~ you never can be reimbursed in one farthing.

The advantages that Lord Robert has, by birth, education, and figure, may probably procure him a lucky hit at London, which would be the speediest way of ~~disburdening his father, without the fatigue of settlements~~, fixing him in the world at once, without any further charge; but if the reason for his present

confinement
~~retirement~~ should take air by his being kept too long in it, in that case he will be entirely blown upon every way.

Your Lordship having asked my opinion frees me from the imputation of being officious; so I sincerely give it as my humble opinion that, suppose Lord Robert's ease and happiness are put out of the question, it is every way highly—

[*No.* 2.]

Dear Sir,—The Marquis's resolution, which you were pleased to write to me, of Lord Robert retiring on £50 a year, till he was reimbursed of his extraordinary expenses, is to make his Lordship sure that he never can be reimbursed in one farthing, by disabling Lord Robert to do for himself. I have wrote fully to the Marquis, to which I refer you; please close and give it to this bearer. It is to go by an express, for I really think no time is to be lost.

Mr Nimmo is extremely anxious to be provided, and you know I am no less so on his account. I beg you may give him a word of comfort, since I am so well authorised to do it. I am fully sensible of your concern and friendship, and am, with sincerity and affection, &c.

Lady Mary and I join in our best wishes for yourself, Lady Betty, and family. We hope to see you here next week.

[*No.* 3.]

Dear Sister,—I have wrote fully and sent this express to my Lord Marquis on Lord Robert's account. I have not said one word but what is the thought of my heart, and from a sincere concern for his Lordship and family, and what I would do were I in his Lordship's case. Lady Mary and I join cordially in our most affectionate wishes to you and Mrs Brisbane. I dare not invite Tibby[1] soon, for fear of you, but I know you will not grudge it when she has left you.

The Master of Ross became *Lord Ross* on the 13th of March 1738, when his father died. The above correspondence, therefore, must have been prior to that date, though probably very shortly before it. What could be meant by the Marquis re-

[1] Mrs Brisbane of Brisbane was the Marchioness's sister, both being daughters of Sir Thomas Nicolson of Kemnay. Mrs Brisbane's christian name was Isabella, familiarly called *Tibby*.

quiring his young son to "retire," and upon £50 a-year, until he, the Marquis, should be "reimbursed of his extraordinary expenses," it is not easy to comprehend. Yet the fact is too distinctly stated by Mr Hamilton to leave any doubt as to such having been the Marquis's proposition. It could only be from the army that Lord Robert was to "retire." Yet we find it recorded in Wood's Peerage, and with a date, that "Lord Robert Kerr had a Cornet's commission in the 11th Dragoons, Lord Mark Kerr's, 1739." If this date be accurate Lord Robert, instead of being forced to retire, had, subsequently to the breach with his father, received a commission in the celebrated regiment which his grand-uncle commanded, and into whose ranks that fastidious officer was not likely to have admitted a black sheep, though it were his own son. Whatever may have been "Rob.'s affair," it had excited the deepest interest in all the members of his family, including the ladies, as we learn from Lord Lothian himself in 1740, who in that enigmatical letter plumes himself upon having been right in his severe estimate of his young son's conduct, while all the other members of the family, including Lord Mark, had agreed with Mr Hamilton in some milder judgment of the case.

Leaving these puzzles, arising from an imperfect and fragmentary command of family papers, let us turn to the page of history on the subject, where indeed we find a tale, alas! too true, and which must have imparted a shock to the family circle in proportion to the deep interest which all had been taking very recently before in young Lord Robert's affairs and his future prospects. Nor would the Marquis be the one to feel it least.

That Mr Hamilton's anxious remonstrance had prevailed with his brother-in-law, against the proposition to compel Lord Robert to retire upon £50 a-year, there can be no doubt. For the erring youth was actually promoted from a cornetcy in the 11th Dragoons to be Captain of the Grenadier Company of Barril's Regiment of Foot in the army of the Duke of Cumberland, when the Rebellion of 1745 broke out. At this time the Lothian family were scattered, and the poor Marchioness must have had an anxious time of it at Newbattle. For at this alarming crisis the Marquis had been summoned to London; Lord Ancram, as Lord Mark's Lieutenant-Colonel, was commanding the 11th Dragoons, and Lord Robert the Grenadiers of Barril's Foot. The following interesting letter from the Marchioness to Mr Hamilton will best explain her position at this time. It is dated "Newbottle, 16th October 1745," and addressed "To Alexander Hamilton of Innerwek, Esqr., at his house at Balancriff."

I have the pleasure to-day of my dear brother's letter. I was longing to hear from you, and I am very glad to know that you are well, in these troublesome times. One hopes they may grow better. Our comfort is, that Almighty God is over all, and what he sees fit is assuredly best for us. O! could we learn submission to His good will in all things, I am persuaded that even in this world all would see the beauty of His providence. How much more will it be seen in the other world.

Pray, my compliments to Lady Mary and your family. By this time I believe my Lord will be near to London, as the Parliament meets soon. It has been lucky for my Lord he has had good weather for his journey, before the season of the year change, which used to be his time of travelling. I have been here above a month, and when it pleases God these troubles here are so far over as I can travel, then Miss Betty Kerr[1] and me set out for Mountiviot Lodge, to

[1] Miss Betty Kerr was the Marquis's cousin-german, being a daughter of Lord Charles Kerr, the elder brother of Lord Mark. More of her in the sequel.

stay there for this winter, where I will be glad to see you. All here make their compliments to you and Lady Mary. I ever am, my dear brother, your faithful and most affectionate sister and humble servant, M. Lothian.

As the Marchioness at the conclusion of her letter says, "all here make their compliments to you and Lady Mary," we may presume that Miss Betty Kerr was not the only member of the family who bore her company at Newbattle at this crisis, but it must have been some time before she could have ventured on her travels to Mount Tiviot Lodge, by reason of the movements of the enemy.

In little more than a fortnight after the date of the above letter, the rebel host was brought into such close vicinity to Newbattle as could not fail to increase in no small degree Lady Lothian's discomfort and alarm. The old half-moon battery of the castle of Edinburgh (so contemptible in this advanced age of military butchery) was doing good service to King George, by pounding away in a slow, gentlemanly, fashion of war, yet with some effect, at the half savage caterans swarming about Holyrood. In short those quarters becoming too hot to hold him, that "wandering knight so fair" adjourned to safer quarters in Dalkeith Park. Walpole, writing to Sir Horace Mann, November 4, 1745, says,—"They (the rebels) have intrenched themselves very strongly in the Duke of Buccleuch's park, whose seat, about seven miles from Edinburgh, they have seized,"—rather too close to Newbattle to be pleasant. But their eccentric movements very soon relieved the Marchioness from such dangerous neighbours. They were at Carlisle by the 9th of November, and, on the cheap surrender of that fortress, commenced wandering about England, in a vagrant, aimless, manner, scarce

knowing what to do, like wild beasts broken loose from a menagerie. But the news of the advent of that Nemesis, the Duke of Cumberland, from Flanders, sufficed to make them *turn again*, not after Whittington's fashion, but like the cannie Scot foiled in the attempt to rob a garden, "jist ganging bok again."[1] So back they went, with General Hawley at their heels, in whom there proved to be more bluster than bravery. And with this division of the army came young Lord Robert Kerr, bravely marching at the head of the grenadiers of that gallant but luckless regiment, Barril's Foot.[2]

The tide of civil war was now as alarmingly near Ballincrieff as it had recently been to Newbattle. From the correspondence of the Marchioness with Mr Hamilton it seems that he and Lady Mary, with their family, were all at their country seat, not far from Linlithgow, where General Hawley halted about the middle of January 1746, expecting to do instant battle with the Claymores, who were now occupied in a feeble attempt to take the castle of Stirling. During this pause Lord Robert found an opportunity of visiting Ballincrieff, a home as familiar to him as his own, and great must have been the excitement and interest, at such a crisis, occasioned by the young grenadier's sudden appearance there. Mr Hamilton's youngest son, Robert (named after Lord Robert, his cousin-german) was at this time exactly half way between sixteen and seventeen years of age, and ardently longing for a military

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[1] "Diverting it was to see the Highlanders mounted, without either breeches, saddle, or anything else but the bare back of the horses to ride on, and for their bridle only a straw rope! In this manner did we march out of England."—See Lord Mahon's Hist. iii. 448.

[2] The only regiment broken at Culloden.

commission. His immediate elder brother, Archibald, my mother's father, had already obtained his commission, and was with the Duke of Cumberland's army in Flanders, which was then the seat of war with France.

When Lord Robert made his appearance at Ballincrieff his cousin was out shooting sparrows. But the chief object of the young nobleman's hurried visit to his uncle and aunt was to carry off his namesake to the army close at hand, to hunt sporrans instead of sparrows, and witness how General Hawley would extinguish the Highlanders. So the young cousins went off together, doubtless to the great alarm of Lady Mary, and no small anxiety on the part of Mr Hamilton, but the intense delight of their youngest son. This interesting anecdote, which there is no reason to doubt, is thus circumstantially recorded in Anderson's Historical and Genealogical Memoirs of the House of Hamilton and its branches. Referring to Mr Hamilton of Innerwick and Lady Mary's youngest son, he says, —"Robert was an officer in the army, who died young at Dover, on his return from the Continent for the recovery of his health. Lord Robert Kerr, second son of William third Marquis of Lothian, after whom he was named, called at Ballencrieff the day previous to the battle of Falkirk, and took him with him, and attached him to the grenadier company which his Lordship commanded. Robert Hamilton, who at this time was under twelve years of age,[1] was out shooting sparrows when Lord Robert arrived,

[1] This is obviously a mistake; no boy of so tender an age would have been allowed to go on such an expedition, with so young a companion as Lord Robert. Robert Hamilton was born on the 8th July 1729, so he must have been about sixteen years and six months on the 17th January 1746, the date of the battle of Falkirk, when he had a will of his own.

and was called in and hurried off, with his powder-flask in his pocket. During the battle, on several of the grenadiers' muskets missing fire, in consequence of the rain, Robert recollected having his powder-flask, and was observed, in the heat of the battle, wiping the pans dry with his handkerchief, and priming them from his flask, for which cool bravery he got a commission."

What a lark for these boys! Imagine the glee of the two young cousins hastening back to the royal leaguer, to be in time for the beginning of the fray, to them better fun than a feast. It came off at Falkirk. On that inglorious day, while veteran troopers scampered off for dear life's sake, sweeping their own foot along with them, in the very worst of the hurly-burly there were more than one of such high-spirited boys whose blue blood made them stand to it like Knights of the Round Table.

The fullest and most authentic account of the battle of Falkirk is in a letter to the Lord President of Scotland (Forbes of Culloden), dated 15th February 1746, from a Mr Corse, who was in the thick of it himself. Speaking of the Glasgow regiment of militia, in which he appears to have been an officer, he says,—"As to the Glasgow regiment, we marched up the hill very stoutly; when the firing begun on the top of the hill, which was out of sight, we seemed a little too attentive to it; and when some of the fleetest of the dragoons came down among us we did not at all like it. In a little, about sixty dragoons, of Hamilton's, came down the hill in a body, at the gallop, and carried off about a company of our people, among whom I was, and would then have given my life for a shilling. Some of us they rode over, and some of us ran, and rode, so

well that we got quit of them in about five or six hundred yards with the utmost difficulty. I turned up the hill again, after being disengaged, but saw the Glasgow regiment no more.

"When the dragoons were beat, the right of the Highlanders chasing them (as they took straight down the hill among the foot) appeared upon our flanks; the flanks of both lines gave way, down to the centre, and then the whole first line went off, all running down the hill, except Ligonier's Regiment of Foot, which was quite on the right, and near the bottom of the hill. Lieutenant-Colonel Stanhope, *a fine lively young lad*, a brother of Lord Stanhope's, faced that regiment, which was not quite three hundred then, to the hill, and *stood alone* for near five minutes, till *Barril's Regiment* of about four hundred men *came out of the second line* and joined them, and *there the first stop was made.* The enemy, instead of following in where the troops gave way, which they might have done, took it into their heads to stretch their left down to the bottom of the hill, in doing of which it was *so warmly received by these two regiments* that they all scampered up the hill again. General Husk formed a pretty strong line of foot by rallying the runaways at the bottom of the hill; and then they all marched into the camp, not in very good order. The *great storm of wind and rain*, which began about ten minutes before the action, had rendered their arms useless, and wet the soldiers' cartridges."

Now, Barril's Foot was the regiment whose grenadier company was commanded by Lord Robert Kerr. And this must have been the occasion when his young aide-de-camp, whom he had so hastily and so happily *improvised*, did such good service to King George

by having kept his powder dry. Mr Corse, in his letter to the Lord President, gives the whole glory to these two regiments. Speaking very frankly as to how his own militia "fell into confusion, and finally ran away," he adds that they had done "pretty well for militia, and there are *but two regiments of foot* that have any title to reproach them."

Except as germain to the matter of this "Memorie," I have no intention of re-opening that trite and nauseous page of the "'45," the battle of Falkirk. But when we read of the royal dragoons riding off in such hot haste as to ride over their own comrades in arms, the natural impulse is to ask, What of Lord Mark Kerr's 11th Dragoons? What of Lord Ancram, the Lieutenant-Colonel of that flower of the British cavalry? Did he too turn and flee, with all Lord Mark's cavaliers streaming behind him, like a flock of sheep disturbed on the mountain side?

From Mr Corse's letter to the Lord President we learn the truth of this matter also. "The troops," he says, "were march'd to Edinburgh by detachments of two regiments at a time; and with one of the last arrived Mr Hawley, who upon his coming enquired for the Provost and the Judge Advocate, and caused immediately two pair of gallows to be set up, one in the Grassmarket and the other between Leith and Edinburgh. This was his *first exploit.*" "Hawley's army," he adds, "was to have consisted of fourteen battalions, Cobham and *Mark Kerr's*, Hamilton and Gardner's Dragoons, besides the Glasgow and Argyleshire men. But so soon as he had got twelve battalions together, without *any other dragoons* than Hamilton and Gardner's, he sent five regiments of

foot and the dragoons on to Lithco, and the Glasgow regiment to the Queensferry."

Now, Hamilton and Gardner's Dragoons are the very regiments that ran away at Prestonpans, leaving the noble Colonel Gardner to be slaughtered alone. Nor is it too much to say, that had Lord Ancram led the cavalry at Falkirk, as he did at Culloden, the Highlanders would have had little to boast of on that day. As it was, Lord Mark Kerr's cavaliers remained *sans tache*, while his two grandnephews, Lord Robert Kerr, and young Robert Hamilton his squire (who won his spurs that day with his invaluable powder-horn), shared with those two regiments the only laurels that were reaped by the King's forces on the field of Falkirk.

Foiled and worsted, if not altogether disgraced, at Falkirk, the royal army fell back again upon Linlithgow, on their retreat to Edinburgh. "That same night," writes Mr Corse to the President, "the army marched to Lithco, and next day to Edinburgh, where we were much insulted by the Jacobites." From Linlithgow young Robert Hamilton would rejoin his family at Ballincrieff, brimful of the desperate occurrents and escapes of his first stricken field, and of praises of his noble companions,—proud of himself, and prouder of the *powder-horn* that had won for him a commission; and so there were three "lively young lads," who, it is no great stretch of imagination to suppose, would have a special rejoicing of their own, in the shape of a jolly supper that night at Linlithgow,—the Stanhope boy, the Lothian boy, and the Ballincrieff boy,—before they separated,—the two Roberts, alas! to meet no more.

Stupidly failing to avail themselves of their transient success at

Falkirk, which they might have done with serious consequences to the pursuing army, now under the Duke of Cumberland in person, the Highland host rushed onwards to its fate at Culloden. And now Lord Mark Kerr's Dragoons were no longer absent; and young Lord Robert, still in command of Barril's Grenadiers, had the great satisfaction of being comrade in arms with his own brother, Lord Ancram, who commanded the cavalry. But in all probability he had found no opportunity of seeing father or mother, or any others of the home circle (who had taken so deep an interest in his affairs) between the dates of Falkirk, and Culloden where he fell. His grand-uncle, Lord Mark, and his brother Ancram, were great soldiers. Both had been wounded; both ran a great military career; and both died in their beds.[1] But fate had reserved for this beautiful youth,—the wild and doubtless erring boy of his family, who throughout his too transient career of glory might have borne on his banner Ivanhoe's motto,

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1 Lord Ancram (who before his marriage took the title of Lord Jedburgh) had a Cornet's commission 1735; a company in the 11th Foot 1739; and in the first regiment of Foot Guards 1741. He acted as Aide-de-camp to the Duke of Cumberland at the battle of Fontenoy, where he was severely wounded with a musket ball in the head; and was promoted to the rank of Colonel in the army 4th June following. He was Lieutenant-Colonel of the 11th Dragoons—Lord Mark Kerr's—1745; commanded the cavalry on the left wing at the battle of Culloden, 16th April 1746, when his brother fell; after that victory he had the command of the forces at Aberdeen and on the east coast of Scotland till August. He again accompanied the Duke of Cumberland to Flanders in December 1746; got the command of the 25th Regiment of Foot 1747; and in 1752 succeeded his grand-uncle, Lord Mark Kerr, as Colonel of the 11th Dragoons, which he retained to his death; attaining the rank of Major-General 1755, Lieutenant-General 1758, and General 1770. He served as Lieutenant-General under the Duke of Marlborough in his expedition to the coast of France 1758. He did not succeed his father as fourth Marquis of Lothian until 1767. He died at Bath 12th April 1775, aged sixty-five. This Lord Lothian married, in 1735, Lady Caroline D'Arcy, only daughter of Robert Earl of Holderness. I possess an original portrait of Lord Ancram.

"*Desdichado,*" but towards whom all the family affections seem to have been yearning the while,—his early fate it was to be foremost in the fight, and to die for King and Country in the very front of battle. The peerage record of his family tells the sad tale in few but graphic words :—

"Lord Robert Kerr, who had a Cornet's commission in the 11th Dragoons, Lord Mark Kerr's, 1739, was afterwards Captain of the grenadier company of Barril's Foot, and fell at the battle of Culloden, 16th April 1746. Standing at the head of his company when the rebels broke into the regiment, *he received the foremost man on his spontoon*, and was instantly killed with many wounds, being then in the *bloom of youth*, and *extremely handsome.*"

His beauty, indeed, must have been conspicuous, for it had attracted much notice. His uncle Innerwick refers to it (in a somewhat mercantile spirit) when pleading for him to his exasperated and (as regards that matter) unreasonable father. And even that cynic of fashionable life, Horace Walpole, *blaséd* as he was in all the beauty of England's court and aristocracy, deigns to notice Lord Robert's, when recording the battle in which he fell. Writing to Sir Horace Mann, he says,—"The Duke, by forced marches, came up with the rebels a little on this side Inverness—by the way the battle is not christened yet ; I only know that neither *Prestonpans* nor *Falkirk* are to be godfathers. The rebels, who fled from him after their victory, and durst not attack him when so much exposed to them at his passage of the Spey, now stood him, they seven thousand, he ten. They broke through Barril's regiment, and killed Lord Robert Kerr, *a handsome young gentleman,*

who was cut to pieces with above thirty wounds. But they were soon repulsed, and fled, the whole engagement not lasting above a quarter of an hour. Except Lord Robert Kerr, we lost nobody of note."

And *thus* it was that Lord Robert "*retired.*" How his father's heart must have melted, and been wrung! How many soft and silent tears must have fallen for the noble boy, at Mount Tiviot and Ballincrieff! We may apply to his death, as more worthy of the tribute than the proudest Highland chieftain that fought and *fled* at Culloden, the poet's words in "Lochiel's Warning,"—

> ——— "In death he lay low,
> With his back to the field, and his feet to the foe,
> And leaving in battle no stain on his name,
> Looked proudly to heaven from the deathbed of fame."

When William third Marquis of Lothian wrote that kindly consoling letter (which proves that his heart was in the right place) to his brother-in-law and sister, mourning for the death of their first-born, he had no thought that the day would come when the christian consolation and advice it contains would be still more applicable to his own case, and to the heart-stricken condition of that truly good, gentle, and noble lady, whose letter to her brother-in-law, in the height of the Rebellion, speaks volumes for her. Horace Walpole has also a touching notice of Lord Lothian and his recent bereavement, as that nobleman entered the House of Peers to take his seat at the trial of the rebel Lords. In that inimitably graphic and minute description of the overwhelming scene which the epistolary genius of Walpole alone was equal to,

(indeed the greatest triumph of his wonderful pen), while frankly admitting his own predilections, and predisposition to harden his heart against the unfortunate Scottish nobles, he as frankly confesses the revulsion of his feelings in their favour, when he witnessed the careless, genial, soldierly, bearing of Balmerino the brave, and the great personal beauty and grace of the timid Kilmarnock. "I had armed myself,"—he says,—"I had armed myself with all the resolution I could—with the thought of *their crimes*, and of the *danger past*, and *was assisted by the sight of the Marquis of Lothian, in weepers for his son who fell at Culloden*—but the first appearance of the prisoners shocked me! Their behaviour melted me!"

Many letters must have passed at this sad crisis between Mr Hamilton of Innerwick and the members of the Lothian family, by all of whom he was so much honoured and beloved; for that affectionate tie remained unbroken to the end of their days. But I could find none among the few remnants my mother had been enabled to preserve. The last letter there found, from the Marquis to Mr Hamilton, or to Lady Mary, is that contained in the merry *round-robin* from Woodstock Street, dated in 1754, eight years after the death of Lord Robert. The previous letter from the Marquis was that in 1740 to Mr Hamilton, wherein he still speaks harshly of his younger son; and between these two letters there is an interval of fourteen years. Probably the Lothian archives could fill up many vacancies, and solve various puzzles, in the present narrative. Among my mother's scanty relics, however, I find a document relating to the tragic fate of this gallant young nobleman, and possessing no

slight degree of interest, if we may understand it to be the genuine effusion of an actual mourner, and not a fanciful poetaster. It is a monody upon the death of Lord Robert, without any signature, but bearing to have been written by a lady. I can throw no light upon it beyond this, that it was among the Lothian letters in the old pocket-book, and is obviously a contemporary manuscript. There is little ambition in the poetry, which does not rise above mediocrity. But there is something of the genuine ring of real sorrow in its simple sadness, which attracts one's sympathies, and begets some reliance on its truth. In this instance I shall give it as it is written, without amending the obsolete orthography :—

By a Lady on the Death of L——d R——t K——r.[1]

1.

A youth adorn'd with every art
To warm and win the coldest heart
  In secret mine possess'd ;
The morning bud that fairest blows,
The vernal oak that streightest grows,
  His race and air express'd.

2.

In mooving woords he told his tale,
Soft as the sighing of the gale
  That wakes the floury year—
Noe wonder he could charm with ease,
Whom happy nature form'd to please,
  And honour made sincere.

[1] Lord Robert Kerr. Why so transparent a disguise of the name should have been adopted is not very apparent. This monody, which had been long folded up into a small compass of many plies, was in a very tattered condition, and had to be laid down by a bookbinder, like all the letters which had lost their envelopes. The monody appears to have been originally enclosed in an envelope, which seems to have had a large seal (or wafer), the pressure of which has left a mouldy mark on several of the folds ; but no bearings are visible.

3.

That morn he left me—fought and fell—
The fatal evening heard his knell,
And saw the tears I shed—
Tears that must ever fall—
For oh! noe sighs can past recall—
Noe cries can wake the dead!

Edinburgh.

We must now, so far as these relics enable us to do it, trace the fortunes of the two youngest of the Innerwick boys, whom their loving father, in his answer to their petition for a fiddle, addressed as "you two rogues," with this caution to the elder of the two,—"Pray, *Archie*, take care that *Bob* does not get the start of you, for I know he has a great mind to it." Bob was a brave boy, but he never got the start of Archie in the battle of life. Having obtained a commission as a reward for his conduct at the battle of Falkirk, he entered the army before he was of age, but died at Dover not long afterwards, on his return home from abroad in bad health. This was the second deprivation in their own family with which Mr Hamilton and Lady Mary had been afflicted; but none of the consolatory letters from their many friends, which the melancholy event must have called forth, are among the remnants my mother had saved. One home letter, however, from Robert himself to his father, happens to have been preserved. He is about to embark from Holy Island, probably to join his regiment. The letter is addressed—

"To

"Alexander Hamilton of Innerwick, Esqr., Postmaster-General for North Britain."

Holy Island, May 15, 1750.

Dear Father,—It is a fortnight to-morrow since I arrived here. I have been with Dowager Lady Cranstoun,[1] and with Mr Selby,[2] from whose house I came this day. He has been very civil to me. I was at Millfield races yesterday along with him, where he introduced me to Squire Kerr of Itle, and most other gentlemen there. The ship got the last of her cargo aboard yesterday, and the merchant, who is my landlord here, is gone to Berwick to-day, together with the captain of the ship, to clear out with the custom-house; so I expect to sail to-morrow forenoon. I was glad to hear by my mother that you were all going to the country soon. I hope you will be quite happy there. Give my compliments to my mother and sister. I am surprised I did not hear from her with Mr Selby's servant. I shall be happy to hear from you by any opportunity. From your most affectionate son, Robt. Hamilton.

I have a bad pen and ink.

Two years prior to the date of Robert Hamilton's letter to his father his brother Archibald, who was with his regiment in Flanders, had already received—if we may venture still to use a phrase which recent events in war have almost consigned to the limbo of ridicule and contempt—his "first baptism of fire."

After his great exploit in Scotland the Duke of Cumberland returned to the seat of war with France, of course accompanied by his favourite officer, who had been his aide-de-camp at Fontenoy, and commanded the cavalry on the left wing at the battle of Culloden—Lord Ancram. His advent must have been a great pleasure to his young cousin, Archibald Hamilton. And now

[1] Dowager Lady Cranstoun was aunt to Robert Hamilton, and grand-aunt to my mother, being the sister of Lady Mary Hamilton, as mentioned before.

[2] Gabriel Selby of Paston, in Northumberland, was the husband of the Honourable Anne Cranstoun, sister of James sixth Lord Cranstoun, and consequently young Robert Hamilton's cousin-german by marriage. The Dowager Lady Cranstoun had been staying with Mr Selby and her daughter.

occurred the bloodiest battle of the period, in which the Duke was worsted, with the loss of six thousand men, inflicting a loss, however, of twelve thousand upon the enemy that defeated him. Walpole, writing to Sir Horace Mann, thus comments on the defeat :—"The sum total is, that we would fight, which the French did not intend ; we gave them, or did not take, the advantage of situation ; they attacked ; what part of our army was engaged did wonders, for the Dutch ran away, and we had contrived to post the Austrians in such a manner that they could not assist us ; we were overpowered by numbers, though the centre was first broke by the retreating Dutch ; and though we retired, we killed twelve thousand of the enemy, and lost six ourselves. The Duke was very near taken, having, through his short sight, mistaken a body of French for his own people. He behaved as bravely as usual ; but his prowess is so well established that it grows time for him to exert other qualities of a General." This was the battle of *Lauffeld*, near Maestricht, fought on the 2d July 1747.

Dated two months and more after that battle, the following kindly invitation from Lord Ancram, addressed to his young cousin-german, is among the papers preserved by my mother. At this time her father had only just turned his nineteenth year.

Dear Sir,—Be so good as to ask your surgeon if you may not come and dine with me. My lodgings are very near to you, and I shall have something light for dinner. Send to the surgeon to know. I am, dear Sir, sincerely yours,

Ancram.

Maestricht, September 11th, 1747.

To

Archibald Hamilton, Esq.

This invitation is couched in terms of military etiquette, which required the express authority of the surgeon to enable a young officer under treatment for his wounds to accept even such an invitation as the above. That Archibald Hamilton was under the surgeon's charge for wounds received in the late disastrous battle would only be a conjecture, however probable, were it not for other evidence, that places the fact beyond question. The late General Mark Kerr Hamilton, my mother's brother, left some memoranda of his own military career, wherein he happens to refer to their father in these words :—"My father, who was an old officer, and who had been twice *severely* wounded in the service, first *in Flanders, under the Duke of Cumberland,* and again in America, under General Braddock, procured an ensigncy for me. My commission was dated the 24th of September 1787." Now, the wounds must necessarily have been severe which had still left young Archibald Hamilton in the hands of his surgeon more than two months after the date of the battle.

We may assume that the regimental surgeon did not put his *veto* upon the young subaltern enjoying the light dinner with his distinguished superior officer, who would have been rather heavy metal in a *tête-a-tête* (as probably this was) had they not been so *sib* to each other, and with so many home interests and topics in common. Besides, the youngster had been severely wounded in the terrible battle, which made him the greater hero for the nonce, his entertainer Lord Ancram having escaped scatheless. Their talk would be of the happy prospect of soon returning home. For in those old-fashioned days of comfortable campaigning, conflicting hosts were

wont at a certain season to retire into cosy winter quarters, returning to fight when their blood was warm, in "the soote season that bud and bloom forth brings." On the 2d October 1747 Walpole writes to Sir Horace Mann,—"The Duke is coming home, and both armies are going into quarters, at least for the present." Accordingly Archibald Hamilton, who had so well earned a run home, had been in Scotland, among all his nearest and dearest for some time prior to the month of March 1748, when he had set out on his return to Flanders, as the following letter suffices to prove:—

DEAR SIR,—You were so good as to say you would take the trouble to deliver the enclosed, which I'll take as a great favour. I shall be glad to hear you got safe to Flanders, where I wish you success with all my heart; and that a good fortune may ever attend you, and be your happy fate, is the sincere wish of her who is, and ever shall be, your most affectionate cousin, and most humble servant, MARIA BRISBANE.[1]

Mont Tiviot Lodge, March 1st, 1748.

Excuse a bad pen.

I beg my humble duty to Mr Hamilton.[2] Lady Mary and Miss[3] are very well. I heard from them the day. My Lady Lothian gives you her blessing.

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[1] Mrs Brisbane, Maria's mother, was full sister to the Marchioness (see before, p. 26), who consequently was aunt to the younger lady. On the other hand, the Marquis was *uncle* to Archibald Hamilton, so that he and Maria Brisbane were, in a manner, cousins-german. The Brisbanes were much domesticated with the Lothians. The address of the letter is gone, but there can be no doubt that it is to Archibald Hamilton, as my mother found it among her father's papers. Maria Brisbane eventually married the Honourable George Cranstoun, brother of the sixth Lord, and nephew to Lady Mary Hamilton, by whom she had two sons and three daughters. Her second son was George Cranstoun, a distinguished Scotch lawyer, Dean of the Faculty of Advocates, and one of the ablest of the Scotch Judges as Lord Corehouse; her eldest daughter became Mrs Cunningham of Lainshaw; her second, Countess Purgstall, the friend of Sir Walter Scott; her third married Mr Dugald Stewart, the distinguished Professor of Moral Philosophy in Edinburgh.

[2] Mr Hamilton would be in London at this time, and his son with him.

[3] Miss Jean Hamilton, their only daughter.

A peace being patched up with the French in Flanders, the tide of war flowed into America. There young Archibald Hamilton had to follow his fortune, and that was to be again severely wounded in General Braddock's most disastrous expedition.[1] The French in Canada had begun to harass and encroach upon our Virginian colonists. In the month of January 1755 Braddock, with a large British force, was sent to succour them. Horace Walpole (whom it is always pleasant to quote) shall tell the rest. Writing to Sir Horace Mann, August 28, 1755, he says,—

"Accounts of a total defeat of Braddock and his forces are arrived from America. The purport is, that the General having arrived within a few miles of Fort du Guesne (I hope you are perfect in your American geography ?), sent an advanced party, under Lord Gage's brother; they were fired upon, invisibly, as they entered a wood; Braddock heard guns, and sent another party to support the former; but the first fell back in confusion on the second, and the second on the main body. The whole was in disorder, and, it is said, the General himself, though exceedingly brave, did not retain all the *sang froid* that was necessary. The common soldiers in general fled. *The officers stood heroically,* and were *massacred.* Our Indians were not surprised, and behaved gallantly. The General had five horses shot under him, no bad symptoms of his spirit, and at last was brought off by two Americans, no English daring, though Captain Orme, his aide-de-camp,

[1] See before (p. 44), statement by his son, General Mark Kerr Hamilton.

who is wounded too, offered sixty guineas to have him conveyed away. We have lost twenty-six officers, besides *many wounded*, and ten pieces of artillery. Braddock lived four days in great agony."

Walpole elsewhere says,—"He dictated an encomium on his officers and expired." Again, in a letter to Richard Bentley, Walpole, repeating the disastrous news, refers to the fact that the severity of it fell chiefly upon the young officers. He says it was suspected that the cowardice of the troops arose out of some grievances they alleged; but, he adds, "one pities the *brave young officers*, who cannot so easily disfranchise themselves from the prejudices of glory! Our disappointment is greater than our loss. Six-and-twenty officers are killed, who, I suppose, have not left a vast many fatherless and *widowless*, as an old woman told me today with great tribulation."

Under such circumstances it would have been almost a misfortune to young Archibald Hamilton (now turned twenty-seven) to have escaped without a scratch. He was fortunate, however, in having lost neither life nor limb, and in having escaped scalping from the savage Indians in the interest of France, though severely wounded.[1] Leaving the young hero meanwhile to be cured of his new crop of wounds in North America, the correspondence of his father with some great men at home must now be recorded.

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[1] Walpole also says,—"What makes Braddock's rout more shameful is, that instead of a great pursuit, and a barbarous massacre by the Indians, which is always to be feared in these rencontres, not a black or white soul followed our troops, but we had leisure two days afterwards to fetch off our dead. In short, our American laurels are strangely blighted."

Letters from James sixth Duke of Hamilton.

Mr Hamilton's correspondence with his illustrious chief, James fifth Duke of Hamilton, in 1727, has already been given (p. 13). His Grace died at Bath, 1st March 1743, and his son, James sixth Duke of Hamilton, reigned in his stead ; but his reign was a short one. He died of internal inflammation, with which he was seized on returning from hunting in Oxfordshire, on the 18th of January 1758. This Duke appears not to have been popular at Court. After the rebel Lords were condemned Horace Walpole writes,—"Great intercession is made for the two Earls. Duke Hamilton, who has never been at Court, designs to kiss the King's hand, and ask Lord Kilmarnock's life. The King is much inclined to some mercy ; but the Duke, who is not so much of Cæsar *after* a victory as in gaining it,[1] is for the utmost severity. It was lately proposed in the city to present him with the freedom of some company ; one of the aldermen said aloud,—'Then let it be of the *Butchers.*'" The Duke of Hamilton's suit for Lord Kilmarnock's life did not succeed. Walpole again writes,—"Lord Cromartie is reprieved ; the Prince asked his life, and his wife made great intercession. Duke Hamilton's intercession for Lord Kilmarnock has rather hurried him to the block." There was another suit, how-

[1] There was very little of *Cæsar* in a victory over a mob of red-shanks who ran away at the first fire. The *battle* of Culloden just occupied a quarter of an hour. The Duke was beat by the French in Flanders immediately after, as he had been beat by them at Fontenoy immediately before. Butcher or not, his Cæsarship was chiefly conspicuous against Highland sheep and cattle, who certainly displayed the activity of their breed in running home.

ever, which his Grace probably had more at heart, and in which he was successful. The story as told by Walpole (in a letter to Sir Horace Mann, 1752) is too good to be omitted.

"The event that has made most noise since my last is the extempore wedding of the youngest of the two Gunnings, who have made so vehement a noise. Lord Coventry, a grave young Lord, of the remains of the patriot breed, has long dangled after the eldest, virtuously with regard to *her* virtue, not very honourably with regard to his own credit. About six weeks ago Duke Hamilton, the very reverse of the Earl, hot, debauched, extravagant, and equally damaged in his fortune and person, fell in love with the youngest at the masquerade, and determined to marry her in the spring. About a fortnight since, at an immense assembly at my Lord Chesterfield's, Duke Hamilton made violent love at one end of the room, while he was playing at pharaoh at the other end; that is, he saw neither the bank nor his own cards, which were of three hundred pounds each—he soon lost a thousand. I own I was so little a professor in love, that I thought all this parade looked ill for the poor girl, and could not conceive, if he was so much engaged with his mistress as to disregard such sums, why he played at all. However, two nights afterwards, being left alone with her while her mother and sister were at Bedford House, he found himself so impatient that he sent for a parson. The Doctor refused to perform the ceremony without licence or ring. The Duke swore he would send for the Archbishop. At last they were married with *a ring of the bed-curtain*, at half an hour after twelve at night, at Mayfair Chapel. The Scotch are enraged; the women mad that so

much beauty has had its effect; and what is more silly, my Lord Coventry declares that now he will marry the other."

So much for Horace Walpole's account of this Duke of Hamilton, and his marriage to the beautiful creature who eventually proved herself a perfect matrix of Scottish Dukes. His Grace's correspondence with the Laird of Innerwick also presses a suit, but of a different kind, which would appear to have been not very promptly answered. Innerwick, it would seem, was something of a sportsman.

Kinniell, 25th March 1754.

Sir,—As the postmastership of Bo'ness will probably soon be vacant, I beg leave to recommend to you for that office Mr John Crawford, of whom I hear a very good character. I am extremely obliged to you for the use of the greyhounds you have been so good as to lend me. I have taken the liberty of taking two of them with me to Hamilton; but if you have any occasion for them upon the least word I shall send them back immediately. I am sorry I have not had the pleasure of seeing you since I have been here.

I am, Sir, your most obedient servant, Hamilton & Brandon.

To Alexander Hamilton, Esqr. of Innerwick.

Hamilton, 29th Aple 1754.

Sir,—I did myself the pleasure of writing to you the day I left Kinniell to thank you for the loan of the greyhounds, and to beg you would allow me to take a couple of them to Hamilton for some time. In the letter too I took the liberty to beg, that as the present postmaster of Bo'ness is extremely old and infirm you would put John Crawford, a surveyor of that place, in his post. This allow me to repeat, and at the same time to say I shall take it as a great favour. I am, Sir, your most obedient servant,

Hamilton & Brandon.

To Alexander Hamilton, Esqr. of Innerwick, Edinburgh.

Letters from the Duke of Douglas to Hamilton of Innerwick.

Among the fragmentary relics of her father's papers which my mother had managed to save, I find four letters to her grandfather from the Duke of Douglas. To this far-descended nobleman, and his ill-used sister, Lady Jane Douglas Stewart, my mother's father stood in the relationship of cousin-german once removed; for his mother Lady Mary and the Duke were brother and sister's children. But her husband, Mr Hamilton, could claim a descent from the Earls of Angus collateral with the Duke of Douglas, from their common ancestor Thomas second Earl of Angus, who flourished in the fourteenth century. Moreover, the Duke's descent was from a *spurious* source, while Innerwick's was *pure*,—whereby there hangs a tale.

This Earl had one son and two daughters, Margaret and Elizabeth. Their brother dying without issue, Lady Margaret Stewart, the elder sister (then Dowager of Mar), became Countess of Angus in her own right. Lady Elizabeth was married to Sir Alexander Hamilton of Innerwick and Ballincrieff, direct ancestor in the male line of my mother's father. Countess Margaret having, in 1389, resigned her honours, in full Parliament, into the hands of King Robert III., that monarch regranted the earldom of Angus, along with the lordships of Abernethy and Bonkyl, in favour of "George de Douglas," her son, and the heirs of his body, whom failing, to Sir Alexander de Hamilton of Innerwick, and his spouse Lady Elizabeth Stewart, sister of the Countess, and the heirs of that marriage, reserving to the Countess the franc tenement of the said earldom and lordships during her life. Thus the line of Innerwick,

flowing from Thomas second Earl of Angus, was originally next substititute in this old tailzie of that illustrious earldom, which, however, being subsequently restricted to heirs-male by those with whom might made right, came to be vested in the Dukes of Hamilton.

But our story must not stop here. The investing "George de Douglas" with the earldom of Angus was a shameful, or shameless, act of injustice to the legitimate rights of a sister. Margaret Countess of Angus, and Dowager of Mar (as widow of Thomas Earl of Mar, who died without issue in 1377, and was succeeded in his earldom by *his sister* Margaret, spouse of William first Earl of Douglas, and by the courtesy of Scotland Earl of Mar), never had a legitimate child. But she owned to a son, in whose favour she resigned her earldom of Angus, naming him "*George de Douglas*"; nor was it any secret that his father was William first Earl of Douglas. So "George de Douglas" was a bastard, and his bend sinister was an ugly one. For, *first*, when he was begotten, his father the Earl of Douglas and Mar was a married man, his wife (who survived him) being Countess of Mar in her own right; and *second*, this injured Lady was sister and heiress of Thomas Earl of Mar, the late *husband* of this demi-rip of a Dowager, Countess of Angus in her own right. So her paramour was the husband of her sister-in-law! *Oh! tempora—oh! mores.*

Now, this chapter of scandalous history, in the olden times, forms a singular genealogical tie between the Duke of Douglas and his greatly esteemed relative and correspondent, Hamilton of Innerwick. The Duke was Earl of Angus *de facto*, and bore that title during the life of his father the Marquis of Douglas. But Mr

Hamilton was Earl of Angus *de jure;* and, had might not made right in those days, he would have borne that title, instead of Secretary to the Prince of Wales for Scottish Affairs, and Post-master-General for Scotland. "George de Douglas" had no more right to his mother's earldom of Angus than he had to his father's earldom of Douglas, which passed him by, and to which he never put forth a pretension. No doubt the long line he founded was great, powerful, and historical. Of the Duke of Douglas it may be said, "Atavis edite Regibus."[1] But the source from which his honours flowed was *impure* and *unjust.* The earldom of Angus was a female fief; and the heir of Thomas second Earl of Angus, upon the death of his son, and failing legitimate issue of his eldest daughter, who succeeded her brother, was her *only sister*, Lady Elizabeth Stewart, the spouse of Sir Alexander Hamilton of Innerwick, whose eldest son, Sir Archibald Hamilton, was consequently *de jure* Earl of Angus. Thus to Mr Hamilton, the husband of Lady Mary Kerr, that noble but barren right of legitimacy descended, *sans tache et sans reproche*, through a direct male lineage of twelve generations of Hamiltons of Innerwick and Ballincrieff.

This singular story, which will not be deemed out of place in "a Memorie" of my mother's paternal lineage, may rank among the most curious of the curiosities of family history. All peerage writers, indeed all historians since the time at least of Hume of Godscroft's History of the House of Douglas and Angus, down to the present day, have recorded, without hesitation or doubt, that

[1] "George de Douglas" was married, while yet a boy, to Princess Mary, the youngest daughter of King Robert III.

Margaret of Angus, Dowager of Mar, became the *lawful wife* of William first Earl of Douglas, and that "George de Douglas" was their *lawful issue.* For this imposition upon the truth of history Godscroft is solely responsible. He asserts,—quoting as his authority a bond by William Earl of Douglas and Mar (the paramour of Margaret of Angus),—that in the narrative of this document, *as Godscroft gives it,* the Earl "*calls* Margaret Stuart, Countess of Mar and Angus, *his wife.*" As the deed itself was not produced, no one hitherto had thought of questioning the imposing authority of this much relied on historian of the house of Douglas and Angus, who professed to have accurately extracted the terms of it. One noted Scottish antiquary, indeed, hit the scent for a moment, but failed to follow it up with his usual keenness and pertinacity. Lord Hailes, in his Annals of Scotland,—referring to the fact that after the death without issue of James *second* Earl of Douglas (the *legitimate* son of the first Earl and Margaret of Mar) that earldom of Douglas, passing by "George de Douglas," wandered away to a collateral bastard branch,—states it as a historical puzzle. "By what means,"—he says,—"or under what pretext, George *Earl of Angus,*"—as Lord Hailes *assumes* him to have been both *de jure* and *de facto*,—"the undoubted younger brother of *Earl James,* was excluded from the succession (to his father's earldom of Angus), it is impossible, at this distance of time, to determine."

But *magna est veritas.* The murder is out. The *original deed,* of which Hume of Godscroft pretended to give an accurate extract, as if he had it in his hand, has been very recently discovered among the muniments of Douglas, in that endless search for "pro-

ductions," wherewith the new aspirant to the ancient honours of Mar is staving off the evil day when haply it may be found that that pretension is naught. The document in question is worse than useless to prove Mar a male fief. But it settles the question now in hand. Godscroft says that in that deed Earl Douglas "calls" the Countess of *Angus* "his wife." The very reverse is the truth. Dealing with that Countess as "*Dowager* of Mar," for the surrender of her terce lands as such, he states it to be for the mutual benefit of US and "Margarete (de Mar) OUR SPOUSE." Nor is this all. The document quoted by Godscroft bears date 11th May 1381. But the chartulary of Aberdeen contains a charter in 1384, by *Margaret de Mar* as *widow* of Earl Douglas (the paramour of the Countess of *Angus*), in which she mentions their son and heir, James, as now Earl of Douglas.[1]

To return now to the Duke of Douglas, the first and last who bore that exalted title: Although deemed a man of morose dispositions and passionate temper, the following letters evince a very different character. They are replete with good sense and kindly feelings. For the Laird of Innerwick, indeed, he seems to have entertained not only the greatest respect, but the most affectionate regard and esteem. I shall here give them in the order of their dates.

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[1] Earl James was killed at Otterburn, 1383, whereupon his only *sister*, Isabella, succeeded to *their mother's* earldom of Mar.

I am bound to add, that the above detection of Godscroft is not due to my own researches. My learned friend, especially learned in peerage questions, James Maidment, Esq., Advocate, who is of counsel for the Earl of Mar in the present contest with the Earl of Kellie, has favoured me with a copy of the printed Appendix to his Case for Mar, in which Appendix will be found the full proofs, ably handled, detecting Hume of Godscroft's *false version* of the document in question.

[*No.* 1—19*th November* 1729.]

Sir,—The many proofs I have had of your kindness and goodwill to me leaves me no room to doubt of your compliance with what I now desire of you, to give me your assistance in the management of my business. Some of the gentlemen who do me the favour to act in my affairs being sometimes obliged to be at Loudou, makes it necessary to have some other friends in the commission, that my business may not suffer by their absence. I must therefore entreat you would do me the favour to allow me to name you as one of my commissioners, and that you would accept of the trust. If you'll please to speak to my good friend Cavers, he'll tell you all the trouble and pains it will give you. I beg you'll give my most humble service to my cousin, and believe me to be most sincerely, Sir, your most humble servant. Douglas.

Douglas Castle, 19*th November* 1729.

[*No.* 2—14*th September* 1733.]

Dear Sir,—I have for some time past had an inclination to divert myself a while in France, and now am fully resolved to go as soon as I can be ready. I would have acquainted you of this sooner, if I had not expected the pleasure of seeing you here before this time, as you promised; but as the season is now pretty far advanced, and that I design to be there before winter, I therefore give you the trouble of this to desire your assistance to look out for a gentleman who will be proper to go with me by way of companion, and I shall give him what allowance you or any of my friends shall think reasonable. I believe either a half-pay officer, or a lawyer who has not business, will be fittest, but I leave the choice entirely to you. I shall also want a footman, and one that can dress a wig and shave, for I do not think any of the servants I have fit to carry along with me. I intend to go in coach to London, but to stay there no longer than to kiss the hands of the royal family, and get to France about the beginning of November, if possible. I am sensible this commission must give you a good deal of trouble, but I rely on your goodness to execute it, having no friend whose opinion I value more, nor who can give me better assistauce in this matter. I have some young horses to dispose of presently, but I will delay it till you come here, that I may *make you a present of the one you shall like best.* Send an express at my charge when you think fit to acquaint me of anything relating to what I have desired of you by this; but I must insist to see you here as soon as possible. I believe it will be proper before I go away that I should sign a new commission to Lord Haining and you to manage my affairs

during my absence. If you judge it necessary to have one or two more joined with you, I wish you would think of proper persons.

I give my most humble service to my cousin Lady Mary, and am, dear Sir, your affectionate friend and humble servant, DOUGLAS.

Douglas Castle, 24th Sept. 1733.

[*No.* 3—*2d October* 1733.]

DEAR SIR,—I had the favour of yours, and am sorry your election gives you so much trouble, but I hope, however powerful your antagonist is, he shall not be able to prevail. If I can serve you any way in it, I beg you'll let me know. It would give me a great deal of pleasure to be able to assist you. I hope by the time this comes to your hand you have had opportunity to make some progress in assisting me for my foreign expedition. I have no objection to the gentleman you name on account of his principles, providing he has a good character otherwise, and that he is not a bigot, for I think myself so well fixt that he cannot pervert me; but I wish you would have your thoughts if my having such a person about me would not be taken notice of above. I would indeed be satisfied that my design should not be known to many till everything was fixt; but as I am sensible you cannot keep it altogether a secret, and make (*sic*) any steps in what I have recommended to you, I will not lay you under any restraint that way. I beg you'll remember the season is far advanced, and I would gladly have the land journey over before winter, and therefore I expect to hear from you very soon. I must also renew my request of seeing you here as soon as possible, and let me know when I may expect to have that pleasure. I have written to Lord Haining, as you desire, and have proposed that Baron Kennedy be one of my commissioners, if he will do me that favour, and is agreeable to Lord Haining and you. I wish you would name another, for I cannot think of any. I give my most humble service to my cousin Lady Mary, and am, dear Sir, your obliged humble servant, DOUGLAS.

Douglas Castle, 2d Oct. 1733.

I have mentioned my design of going abroad in a letter to my mother[1] this day, and that I have given you the trouble of looking out for people to go along with me.

[1] Lady Mary Kerr, Marchioness of Douglas, third daughter of Robert first Marquis of Lothian.

[*No.* 4—15*th October* 1733.]

Dear Sir,—I am very sensible how much I am obliged to you for the pains you have taken in choosing a fit person to travel with me. I am sorry it has given you so much trouble, and kept you so much from home, especially when Lady Mary is so tender. I am very glad you have fixed on Lieutenant Wood. I like him the better that he has been in the army, in case we should happen to go see any camp abroad. I am only afraid he is engaged, or having been so often travelling will not be willing to go again. What makes me say this to you is that in case Mr Wood is not willing you may be looking about for some other. If there was not war abroad I should like Mr Brodie very well from the character I have had of him. You may be sure I would be glad to make the journey to London before the shortest days and bad roads, but rather than delay till the spring I'll go at any time I can get ready, and I should be extremely pleased if your conveniency could allow you to take share of my coach. I am not so fond of having my journey kept a secret as to put myself to any inconveniency, and therefore I entreat you may enquire for two servants, as I wrote to you before. I am glad you approve of Baron Kennedy's being one of my commissioners, and I should like very well to have Baron Clerk for another, but that he was once in the Commission, and after acting some time threw it up, and therefore, if it is agreeable to you, I would rather have Mr William Carmichael. You may write to me by the Lanark post, but when you have any thing material I desire it may be sent by express, and let Mr Dunbar pay it. I am sorry you mention nothing of my seeing you here. I hope it will be no inconvenience to you if it was but for a day or two. I give my most humble service to my cousin, and heartily wish her better health, and that it was in my power to make you easy about your election. I am, dear Mr Hamilton, your very affectionate friend and most humble servant, Douglas.

Douglas Castle, 15*th October*, 1733.

My carrier is to be in Edinburgh on Friday night or Saturday morning, and will not leave the town till Monday.

From the first of the above letters, dated towards the close of 1729, it appears that the Duke of Douglas had previously received "many proofs of kindness and goodwill," for which he was grateful, from the Laird of Innerwick. Now, this is of some importance in

judging of a mysterious and very tragical event, occurring only a few years before, which might be supposed to have left as ugly a stain upon the Duke's own memory as the recent discovery illustrated above has proved against his hitherto proudly recorded lineage from William first Earl of Douglas and Margaret Dowager of Mar and Countess of Angus.

Lord John Kerr, the Duke's uncle, was not married. He had a son, however, whom he loved, and who was also a favourite companion of the young Duke. Moreover, as the story goes, this favoured youth had even gained the affections of his high-born cousin, Lady Jane Douglas. Be this as it may, the son of Lord John Kerr was killed by his friend and cousin, the Duke of Douglas, "in a fit of madness." There appears to be a traditionary legend to this effect floating about, but I have been unable to discover any *published* record of it, criminal or historical.

Nevertheless there can be no doubt that a family record of this sad story does exist, and has recently been made patent to the public through the presentation to the library of the Faculty of Advocates, by the Earl of Crawford and Balcarres, of the "Riddell Manuscripts," a most voluminous collection of the researches of that celebrated legal and historical antiquary, the late John Riddell, Esq., Advocate, which is likely to prove of great value to the public as well as to the domestic history of Scotland.[1] Among these, the

[1] This noble collection was purchased from Mr Riddell's executors by the Earl of Crawford and Balcarres at a price so large as to exclude the Faculty of Advocates from competing. But the whole collection has now been presented to their library, in free gift, and without reservation, by that munificent and patriotic nobleman.

margins of Mr Riddell's copy of Wood's edition of Douglas's Peerage are covered with annotations in his handwriting, gathered from the most ancient charter-chests of the nobility and gentry of Scotland, freely and extensively opened to this learned and industrious antiquary. *Inter alia*, I find the following note, illustrative of the domestic history of Robert fourth Earl and first Marquis of Lothian, the father of Lord John Kerr :—

> I saw in the Lothian charter-chest, in a box containing the patents of honour, a letter from Lord John Kerr, dated 1726, to a lady, but *who* does not appear, stating that the day on which he received the news of his son's death, from a Mr Saunders, was the most gloomy in his life, and that he had been "murdered," in a fit of "madness," by the Duke of Douglas, who, it is added, must feel it the rest of his life, because his Grace *liked* him. This is the gentleman to whom it is said Lady Jane Douglas was attached, and was, it is also said, a natural son.

As no public record of this sad story appears, and as the Duke of Douglas had enjoyed the friendship and many kindly offices of his excellent cousin prior to 1729, when he begged him to become one of the commissioners for his great estates,—a responsibility which Mr Hamilton did not hesitate to undertake, and to continue those marks of cousinly regard for which the Duke was so grateful as to gift him with his best horse,—we may surely dismiss all idea of any serious criminality attaching to the lamentable event of which the proof (and it seems sufficient) has been furnished by Mr Riddell. It may account, however, for the gloomy and unsocial habits in which this illustrious nobleman indulged ; and not improbably it may have some connection with his certainly unbrotherly conduct to his only sister, in her utmost need. Perhaps the

anxiety evinced in the foregoing letters to Mr Hamilton that he should provide him with an eligible travelling companion, and a new valet, or confidential attendant, who could dress a wig and shave him, might be connected with a consciousness that it were best he should not be entirely left to his own resources, and also to free himself from such of his domestics as might be inconveniently familiar with his Grace's antecedents. There is certainly a mystery about the obdurate aud silent moroseness with which he refused to have any communication with his only sister, and literally drove her from his door, at a time when all the best conditioned of the nobility and gentry of Scotland,—abroad, in England, and in Scotland,—nay, the King himself, and all the members of the royal family, were bestowiug upon her every mark of kindness and affectionate sympathy. Her very private marriage to Mr or Colonel Stewart (who had been in the Austrian service), which took place at her own Edinburgh residence of Drumsheugh, Bishop Keith officiating, will not account for her brother's strange and inconsistent conduct. For although Mr Stewart was a recklessly extravagaut man, and not at the time a fit match for Lady Jane Douglas, his birth and family station was uuexceptionable. He succeeded eventually to the family estates and title, as Sir John Stewart of Grandtully, a family which of course claims a royal descent. Lord Hailes, who, as David Dalrymple, was of counsel for the Earl of Selkirk, one of the Hamiltou claimants in the contest for the Douglas estates after the Duke's death, in a law paper, of date 1762, thus refers to his unhappy quarrel with his sister: "The Duke of Douglas and Lady Jean, his sister, had been on very bad terms for

many years preceding her death; and the Duke's displeasure at Lady Jean did not take its rise from her marriage with Sir John Stewart, nor from anything subsequent to it, but had taken its rise, and subsisted for many years before her marriage; particularly there was a difference between them in the year 1738, after which time they never were on the footing of seeing one another, or of keeping any correspondence."

After all, however, there followed the strange inconsistency, that even on his death-bed, and without any intervening peace-making with his sister, this mysterious Duke, who left no family by his Duchess, revoked every legal impediment he had reared against the right of blood in his only sister, and left the great Douglas inheritance open to young Archibald Douglas Stewart, after his injured mother had found rest in her grave for nine years. Moreover, so little was the Duke impressed by that calumny which became the last weapon of the Hamiltonian faction, in the great contest for the estates, namely, that Lady Jane's offspring were a supposititious imposition, got up by that lady and her husband in their criminal desire to grasp the estates—a vile scandal eventually crushed in the House of Lords—that in his last settlement in favour of his sister he also executed a nomination of tutors to Archibald Stewart, Esq., who is therein designed his sister Lady Jean's son by Sir John Stewart of Grandtully. But whatever may have influenced his latter will, in 1762, certainly it had no effect during the life of his sister, who died broken-hearted in 1753. In a memorial prepared for Lord Selkirk, in the contest which arose immediately after the Duke's death, his character is thus drawn by the pen of Sir Thomas

Miller of Glenlee, afterwards Lord President (father of Lord Glenlee, the ablest and most accomplished Judge that has adorned the bench of Scotland in the present century). "It was the Duke's misfortune,"—says Sir Thomas,—"to be a man of such weakness and instability of mind as to be totally governed by the caprice and partiality of those people whose management he accidentally fell under. His character is too recently in your Lordships' memory to need any commentary; but the various deeds he executed at different times afford the strongest evidence of this assertion."

To illustrate the woes of his victim, Lady Jane Douglas, is very germain to the matter of "a memorie" of my mother. Though not born until long after the death of Lady Jane, she had imbibed, through her own immediate progenitors, the greatest interest in her story, and the deepest sense of her wrongs. Moreover she had inherited her name, of which she was very proud, and was also in the habit of using daily a familiar relic of her domestic occupations. One of the oldest memories of my mother which have attached itself to my mind is that of seeing her seated beside her work-table, upon which was placed a large red Japan work-basket, in shape something between a basin and a saucer, for holding ladies' worsted work, which had belonged to Lady Jane Douglas at the time of her death. This sad but interesting relic is still in my possession. As my mother's grandmother, Lady Mary Hamilton, had attended Lady Jane throughout her decline, and in her last moments, it naturally came into her possession after all was over, and so into my mother's, through her father Colonel Hamilton.

Among the Innerwick papers preserved by my mother, along with the Duke of Douglas's letters to Mr Hamilton, I find the following, which is entitled,—

Copy of a Letter from Lady Jane Douglas Stewart to Mr Pelham.

The house of Douglas, which has been for so many years the admiration of Europe, has of late afforded matter extraordinary enough for romance, and pathetic enough for tragedy. The most striking instance of them all is the hard fate of Lady Jane Douglas, only sister of the deceased Archibald Duke of Douglas. This lady having married Sir John Stewart of Grantully, her enemies instigated her brother against her with such severity that she and her two sons were in a manner *destitute.* In these circumstances Lady Jane solicited the protection of his Majesty George the Second. Her letter to Mr Pelham upon that occasion is preserved in the proof of the great Douglas Cause, and may be recorded as an example of the most elegant and moving composition that ever flowed from a pen. It is in these words,—

Sir,—If I meant to importune you, I should ill deserve the generous compassion which I was informed some months ago you expressed upon being acquainted with my distress. I take this as the least troublesome way of thanking you and desiring you to lay my application before the King, in such a light as your own humanity will suggest. I cannot tell my story without seeming to complain of one, of whom I never will complain. I am persuaded my brother wishes me well; but, from a mistaken resentment, *upon a creditor of mine demanding from him a trifling sum,* he has stopt the annuity he had always paid me, my father having left me, his only younger child, in a manner unprovided for.[1] Till the Duke of Douglas is set right, which I am confident he will be, I am destitute. Presumptive heiress of a great estate and family, with two children, I want bread. Your own nobleness of mind will make you feel how much it costs me to beg, though from the King. My birth, and the attachment

[1] We have here Lady Jane's own account of the cause of her brother's reducing her to a state of absolute destitution, dependent indeed upon a few noble friends for daily subsistence. Her account cannot but be credited, considering that she was writing to the Prime Minister, for the ear of the Sovereign.

of my family, I flatter myself, his Majesty is not unaequainted with. Should he think me an objeet of his royal bounty, my heart won't suffer any bounds to be set to my gratitude; and give me leave to say my spirit won't suffer me to be burdensome to his Majesty longer than my eruel neeessity eompels me. I little thought of ever being reduced to petition in this way; your goodness will therefore exeuse me if I have mistaken the manner, or said anything improper. Though personally unknown to you, I rely upon your intereession; the conseiousness of your own mind, in having done so good and eharitable a deed, will be a better return than the perpetual thanks of, Sir, your most obliged, most faithful, and most obedient servant, JANE DOUGLAS STEWART.[1]

This appeal met with prompt attention in the highest quarter. George the Second granted Lady Jane's petition, in the most gratifying terms, to the precise extent of the annuity withdrawn by her brother: a terrible rebuke to the Duke of Douglas. Some of her real friends, such as the Earl of Morton, Lord Blantyre, the

[1] This copy of Lady Jane's beautiful and affecting letter to Mr Pelham I find in the old pocket-book along with the other remnants of her grandfather's papers preserved by my mother. The Innerwick copy is not dated, but the original letter was produced in the Douglas Cause, and is printed in the voluminous collection of "Proofs and Exhibits" to which that gigantic litigation gave rise, where it bears date, "*St James's Place*, May 15, 1750." I was not aware, until recently, of the existence of this vast repertory, occupying two thick quarto volumes, of all the depositions and documents forming the record of that exciting investigation. Among these are multitudes of private letters, replete with interest, and highly characteristic, their authors never contemplating the public exhibition of them in a cause which may be said to have created a European excitement. All has now passed away like a scroll from the memories and minds of men, except the righteous judgment which crushed the presumptuous doom of infamy pronounced against Lady Jane Douglas and her husband, by *a casting vote* of the "Auld Fifteen." There were too many cooks about that Scotch broth; they *bamboozled* each other; and the result was a most unsatisfactory mess, an outrage upon common sense, until the House of Lords came to the rescue, and through the noble speeches of Chancellor Camden, and Chief-Justice Mansfield, proving to demonstration the eternal justice of their reversal, calmed the public mind, and satisfied the world.

I am indebted to Dr David Laing, the learned keeper of the Signet Library (where this collection is preserved), for calling my attention to it, as it comprehends some interesting letters from my mother's grandmother Lady Mary Hamilton to her cousin Lady Jane, as will be seen in the sequel.

Dowager Countess of Wigtown, and Mr Robertson of Ladykirk, had previously enabled her to pay debts incurred abroad, and the royal bounty supplied the means of going to Scotland, mainly with the view of accomplishing a personal interview, for herself and children, with her obdurate brother, whom she still tenderly loved.

Lady Jane arrived in Edinburgh on the 17th of August 1752, and was received with open arms by her ever kind cousins Mr Hamilton of Innerwick and Lady Mary. On the 18th, in a cheerful letter, full of affection and hope, she informs her imprisoned husband of her safe arrival with the boys, and then adds in a postscript,—"Since I wrote this Lady Mary Hamilton has come in, and sends you her affectionate compliments." Again, on the 3d of September, she writes,—"Lady Mary Hamilton inquires always very kindly after you; she's much your humble servant,—as Mr Hamilton is." And, again, on the 27th August,—"Mr Hamilton and Lady Mary supped with me the other night. They spoke with a great deal of esteem of you, and drank your health with much cordial affection." By their advice, and that of other judicious friends, Lady Jane made her advances to Douglas Castle, in the most simple and unpretending manner. Accompanied by her two little boys, and attended by her faithful female domestic, Isabel Walker, who had been with her for thirteen years, this disconsolate sister of the greatest Duke in Scotland bravely approached the hold of the fraternal ogre, with the vain hope of seeing him personally, and introducing the children who had every prospect of carrying on the illustrious line of the House of Douglas. The result will be best told in the words of her

devoted maid, when examined by the inquest who served Archibald Douglas heir to the deceased Duke. Isabel Walker,—"Depones that she accompanied Lady Jean from England to Scotland in August 1752; that in the month of April thereafter Lady Jean, with her two sons, and the deponent, went to Douglas Castle; and Lady Jean desired a servant, whom the deponent took to be the Duke's gentleman,[1] to acquaint his Grace that she, with her two sons, were come to wait on him; that Lady Jean was refused admittance to the house, but was directed to go to a terrass walk, to wait the return of the message—which was brought her there, and was, that the Duke would by no means see her; that Lady Jean, upon receiving this message, was *greatly distressed.*"

On studying the proofs in the Douglas Cause it is difficult for the most impartial mind to come to any other conclusion than that Mr Hamilton of Innerwick's illustrious cousin and correspondent, the solitary Duke of Douglas, was, to say the least, semi-insane. This is not indeed to be gathered from the four letters preserved by my mother, in which his Grace, in the most grateful and affectionate terms, urges Innerwick to join Lord Haining in the commission for managing his vast estates. But it was amply proved, in the great litigation, that he was a prey to alternate fits of deep despondency and violent passion; and that his mind had become so weakened, by these constitutional infirmities, as to render it a prey to the

[1] This was William Greenshiells, a most faithful and honest servant to his Grace. But the harsh message of dismissal came through James White of Stockbriggs, the Duke's Chamberlain, a consummate rascal, who abused his confidence and facility, as the Duke himself discovered when too late.

most ridiculous calumnies with which his ear was, for a time, poisoned (by the meanest of the creatures about him) against his only sister; and even against his cousin Lady Mary Hamilton, of whom, in the letters found in my mother's repositories, he speaks in terms of the greatest affection. But of this more anon. Meanwhile I shall here insert the family letters relating to the death of little Sholto, his suffering mother's pet, a most sad event, which soon brought herself to the grave.

After her brother's cruel rejection of her, Lady Jane went to London to see her husband, leaving their boys in charge of her devoted maid "Tibby Walker," under the motherly superintendence of Lady Mary Hamilton. Soon after her departure, Sholto, the younger of the twins, and whom the Countess of Wigtown, in her deposition, declares to have been "extremely like Lady Jean," fell into a fever, of which he died, after lingering seventeen days. Mr William Loch, writer in Edinburgh, acting as man of business, depones,—"A day or two after Lady Jean went to London, the second son, Mr Sholto, fevered and died; and as none of the friends would concern themselves in the funerals *but Lady Mary Hamilton*, he, the deponent, by *Lady Mary Hamilton's direction*, ordered the funerals, and paid the charge." The sad event was carefully broken to poor Lady Jane, in a considerate letter, by the Reverend Mr Gustard, one of the ministers of Edinburgh; and Lady Mary, by an express to the Duke of Douglas, let him know the state of overwhelming sorrow into which this unexpected blow had plunged his sister. Mr Stewart, in a letter to the Reverend Mr Gustard, dated from

London 15th May 1753, thanks the reverend gentleman for his kind and christian letter to Lady Jane, and adds,—"Lady Jane begs you will make her compliments, with hearty thanks, to *Lady Mary Hamilton*, for her kind concern, and taking the trouble of acquainting her brother the Duke by express of the distress of his sister by this unexpected severe stroke." But the Duke made no sign.

Of the same date as Mr Stewart's letter Lady Mary Hamilton thus writes to her bereaved cousin :—

Edinburgh, 15*th May* 1753.

My dearest Lady Jane,—I cannot express the anguish I have, and sincere sympathy with your Ladyship and Mr Stewart, on account of the death of your dear son Sholto. A *great trial!* I pray God, who comforteth those who are cast down, to comfort and support you.

Dear Master Archy is quite in good health and spirits. I had the pleasure to have him here to-day at dinner. He is singularly happy in his keeper, Mrs Walker,[1] who has and does all duty, I can bear witness. As likewise Mr Colvill and Mr Loch, who have shown their honour and just regard for your Ladyship and children. My being here at such a time I am thankful for: *kind Providence*—I see the beauty of it: all concurring to do what was proper in such a case; which I suppose you will be acquainted of. With the truest regard, I am, your Ladyship's most affectionate cousin, and most humble servant,

M. Hamilton.

P.S.—Please, my compliments to Mr Stewart and Mrs Hewit. *My* Jane Douglas[2] heartily joins, and many others of your good friends.

To this beautiful letter, which places the character of Lady Mary

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[1] "Tibby Walker," Lady Jane's faithful maid for thirteen years.

[2] Mr Hamilton and Lady Mary's only daughter was named *Jane Douglas*, as was also their grand-daughter, my mother.

Hamilton beyond the reach of the servile calumny by which it was assailed, Lady Jane's husband thus replies for her :—

London, May 19th, 1753.

Madam,—Lady Jane had the favour of your kind and most obliging letter by last night's post, and hopes your Ladyship will excuse her employing me in this acknowledgment of your kind concern for her distress, till she is got a little over the first effects of the unexpected shock, which I hope will be soon; for really it is too violent, and has affected her more than I should have expected from one of her christian resignation and piety. But nature must take place for a time of both religion and philosophy, whatever share one may have of good sense. The *first letter* Lady Jane is to write will be one of thanks for your Ladyship's kind concern and sympathy on this melancholy occasion. Till then she sends her compliments and best wishes, which I heartily join in, as your Ladyship's most obedient and most humble servant, Jo. Stewart.

Lady Mary Hamilton thus acknowledged the above :—

Edinburgh, 26th May 1753.

Sir,—I thank you for being so good as write me yourself at such a time. I assure you none can more heartily condole with you in your loss. My unalterable esteem and affection for your dearest Lady Jane makes me feel with her pain or joy as my own. The pleasure I always had in seeing Lady Jane and the lovely boys made me happy,—nay, proud. No wonder you, the parents, be singularly affected with the death of one, both being so valuable. I am very anxious, fearing Lady Jane's health may be impaired. Pray God preserve her valuable life. I trust she soon will own that the Lord is her strength and song—that his mercy endureth for ever. Wishing what's good and happy to attend you all, dear Sir, believe me I am, with sincerity, your humble servant,

M. Hamilton.

My Jane Douglas presents her best compliments to my Lady and you. We join in our kind compliments to good Mrs Hewit. I am sure she has a grieved heart. Sir, it not only does me honour, but gives [me] satisfaction to understand that anything I have done is agreeable to sweet Lady Jane Douglas Stewart. Thank God, my cousin, charming Master Archy Stewart, is in great

good health, well put up, and well taken care of. Mrs Walker is truly a good keeper. My Lady Ross[1] has wrote me to know particularly how Lady Jane does, regretting much her loss.

To this Lady Jane replied as follows :—

London, 24th July 1753.

I have been extremely ill, my dearest Lady Mary, else her dear sympathising letter had not been so long unanswered. *I never can forget* the part your Ladyship acted in my absence, during the illness of my dear infant, and in the whole of that melancholy scene. I have received accounts, from different hands, of all your endearing behaviour on that occasion. May it please Heaven to put it in my power to show my gratitude to my dearest Lady Mary for that mark of her uncommon goodness and favour to me in the day of my distress.

Your two dear boys, Mr Hamilton and his brother Mr Archy,[2] are in perfect good health; and as for Mrs Hamilton, the more I see her, and the better I grow acquainted with her, the more I find she deserves my good opinion; she is truly a woman of sense, good humour, and agreeableness. I dined with your son and her at their house, Saturday last, was most genteely entertained, and your Ladyship was made mention of with the highest honour and esteem. One would think she had long been acquainted with you, she speaks with so perfect a knowledge of all your worth and merit, almost to its utmost extent. She is highly pleased with the pretty present you sent her, owns herself to blame that she has not acknowledged that favour, but is to write soon to your Ladyship, perhaps by me, who am to set out for Scotland, please God, the first of next

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[1] Lady Betty Kerr, Lady Mary's elder sister. See before, pp. 25, 26.

[2] My mother's father, Archibald Hamilton, and his eldest brother James. Lady Jane calls them "dear boys," but they were both between twenty and thirty years of age. See before, p. 7, the dates of their births. James was born in November 1725, and Archibald in July 1728. From this letter the fact appears (which I do not find among my mother's papers) that, of the date of it (1753), the eldest surviving son of Mr Hamilton and Lady Mary was a married man, with an establishment of his own in London. He became keeper of his Majesty's stores, first at Woolwich, and afterwards at Chatham. The name of the lady he married, and of whom Lady Jane speaks so favourably, was *Dacs*, as mentioned in Mr Anderson's Genealogical and Historical Memoirs of the House of Hamilton, but of what family I am not informed.

month. So I shall soon have the satisfaction to embrace my dear Lady Mary; so shall write no more just now, being very unable; you would scarcely know me; only, before I finish this, I must beg your Ladyship to make my best compliments to worthy dear Mr Gustard, and to his daughter; he'll excuse my not writing, as I am truly very ill. Tell him I endeavour to follow the wise and good advice he sent me in his kind letter; assure him I don't murmur; it would ill become me not to be entirely resigned.

Adieu, my dear Lady Mary None can esteem and regard you more than I have the honour to do. With the utmost affection,

JANE DOUGLAS STEWART.

P.S.—I beg leave to offer my best compliments to dear Lady Dunbar and her two amiable daughters; I am well acquainted with their goodness and friendship for me. Also my affectionate compliments to dear Lady Ross, and in the most affectionate manner to my dear Miss *Dougy*[1] Hamilton, and to Mr Hamilton; as Mr Stewart does to him, your Ladyship, and Miss.

In the month of August after the date of the above letter, having recovered sufficiently to enable her to undertake the journey, the mourning mother returned to Edinburgh, but in a dying state. Joseph Douglas of Edrington, Esq., a witness in the great cause, depones,—"That two days before Lady Jean's death he went to wait upon her, when she presented the claimant to him, calling him *her dear son Archy;* that the *following day* the deponent went to dine with Lady Jean, and after dinner she turned serious, and told him that she knew she was dying, and expressed no concern for her approaching death, but seemed to be greatly afflicted at what would become of her dear son Archy when she was gone; and upon this occasion she fell a crying, and seemed

[1] *Douglas,*—Lady Mary's daughter, and Lady Jane's god-daughter.

to be deeply afflicted; and thereupon the deponent a little after left her, not being able to stand it longer."

The very next day, 22d November 1753, she died, and, as the two doctors who attended her declared, of a broken heart. Mrs Helen Hewit, her constant companion, deponed,—"That about four hours before she died she ordered her son Archibald, the claimant, to be brought to her; when she laid her hand on his head, and said,—'God bless you, my child; God make you a good and an honest man, for *riches I despise;* take a sword in your hand, and you may one day be as great a hero as some of your predecessors.'" [1]

Thus died the illustrious and persecuted lady after whom my mother was named, and whose latter days of sickness, sorrow, and poverty—her ducal brother rolling in wealth the while—were cheered and soothed by the never-failing affection of the most

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[1] Dr Eccles, one of the physicians who attended Lady Jane, thus writes to her husband, to whom (with a cruel kindness) she had constantly represented herself as convalescent (even when in the very act of dying), November 22, 1753,—"With great grief and concern I take this opportunity to inform you that Lady Jane Douglas Stewart died this day at noon, very much emaciate and decayed. She bore her sickness with christian patience and resignation, accompanied with that *remarkable sweetness of temper* and *affable behaviour* so natural to her." And another kind and sympathising friend, Mr Colvill, after announcing to Mr Stewart "the death of that *dear angel* Lady Jane Stewart," adds,—"Nobody durst venture to write to you the situation she was in—she *absolutely discharged* it. There is *an express* gone away to the Duke, to see what he will do. However, whether he will do or not, everything shall be done about her like herself."

Doubtless the express to the Duke must have been from Mr Hamilton and Lady Mary. His Grace at least paid this much attention to it, that he ordered his sister's grave to be in the Abbey Church of Holyrood House (in which he had apartments, and at times resided), where their mother, the Marchioness of Douglas (my mother's great grand-aunt), was buried in 1736.

amiable of women, her cousin Lady Mary Hamilton, my mother's paternal grandmother. Still the unnatural brother gave out no sign of that forgiveness and remorse which at length fell upon him with all the bitterness of unavailing regret, and weighed with a heavy retribution upon his parting spirit. But the poor Duke was scarcely accountable. Not only was he liable to insane bursts of passion, but his mind must have degenerated into something like fatuity during the years that had intervened since his very sensible and affectionate correspondence with Mr Hamilton of Innerwick in 1729 and 1733. A paper of "memorandums" which was produced in the great litigation will serve to illustrate the Duke's aberration of mind, and how he was led, and grossly misled, and his facile ear abused with calumnies as absurd as they were atrocious, by his chamberlain, James White of Stockbriggs, whom his Grace familiarly called *Stockie*. This document had been privately kept by his good and faithful valet, William Greenshiells, to whom it was brought on his death-bed that he might verify its contents, which he solemnly did. The following is an extract :—

That one night there was gathered about the lodging at Edinburgh, a great rabble, or mob of ruffianish-like people, who made a great noise and bustle ; that the Duke, and some others of the family, called over the windows to them,—what they were wanting there? and they answered that they wanted to be in ; to which the Duke replied that if they did not go off directly he would fire on them ; so they dismissed.[1] That *after* Lady Jane was married to Colonel Stewart, *I have heard* Stokbriggs *affirm to the Duke*, and some others of the

[1] The Duke was obnoxious to the Jacobite rabble, because of his Hanoverian antecedents. They were wise to be off, for the object of their riot would most certainly have fulfilled his threat.

family, that the mob which had gathered about the lodging, formerly, were *hired by Lady Jane* and *headed by the Colonel*,[1] in order to *murder* the Duke, or carry him off to St Kilda or some neuter island, that they might get the estate into their own hands. That this, and such like stories, irritated the Duke still more and more against his sister. And particularly, that *he remembers the Duke was told* that *Lady Jane* and *Lady Mary Hamilton* went to Lord Haining,[2] then the Duke's Commissioner, to complain of the Duke's behaviour; that Lord Haining took the Duke's part, and *the two ladies took up the tongs and poker in their hands*, and threatened to beat his Lordship. That Lady Mary said to Lady Jane,—"you should have taken better care of the Duke when you had him in your hands, and *poisoned* him, or carried him off." That on the occasion of telling these malicious stories, the Duke said,—"God be thanked, *Stokie*, that we have got safe off; *you*, *I*, and *Green*[3] might have been all poisoned together."

In a previous page of this "Memorie" (p. 60) will be found Mr Riddell's *extrait* of a letter, which he discovered among the Lothian archives, relating the lamentable fact of the Duke of Douglas having, "in a fit of madness," put to death a kinsman and friend of his own, sometime prior to the year 1726,—a tragical incident which was new to me, and which I then supposed had escaped all public notice, the peerage writers being utterly silent on the subject. A little further research, however, has enabled me to throw some more light upon that melancholy chapter in the life of the Duke of Douglas, and his ill-fated and ill-treated sister, Lady Jane. Hitherto the story has been unwritten.

Many pamphlets, and reviews of pamphlets, on the great ques-

[1] Mrs Hepburn, the Duchess of Douglas's sister, *deponed*, that having asked the Duke if *he knew* that it was Lady Jane who had raised this mob, he answered, that he did not suspect it till long after, when *Stockie* told him that it was Lady Jane and Colonel Stewart who had done so.

[2] John Pringle of Haining, a Lord of Session under that title. He died in 1754, aged 80.

[3] The narrator, William Greenshiells, "the Duke's gentleman."

tion involved in the "Douglas Cause," found, while that suit was still depending, a willing receptacle in the now rarely read, but very valuable repertory of passing events, public and private,—the old Scots Magazine. Among the rest, the reviewer of a pamphlet entitled "A concise Narrative of the proceedings in the Douglas Cause" gives the following account of the Duke of Douglas, then only recently dead :—

The Duke of Douglas was brave to a degree of *brutality*, and *so fond of his sister* that he fought a duel in her vindication with another nobleman, *as bloody and desperate* as that which has been so often recorded between Bruce and Sackville in the reign of James I. We shall draw a veil over a *much blacker circumstance in his life*, perpetrated on the *same lady's account*. Though he understood the value of money (perhaps *too well*), yet his behaviour on some occasions, in the early part of his life, seemed to entitle him to a guardianship ; and Lady Jane is said to have made *some attempts of that kind*, which he long resented. His attachment to the present royal family, by whose *clemency* he enjoyed *his life* and estate, was remarkable and meritorious ; but we know nothing of his having had (as this writer says) a difference with his Sovereign in his youth, of his quitting the Court in disgust, and of his retiring to Douglas Castle, "where he lived upwards of thirty years, a prey to melancholy, which the gloom of solitude seldom fails to inspire." That he retired to Douglas Castle is true ; but it is certain he lived there with the same ease and indifference as he had done before the *melancholy accident*[1] we have hinted at happened ; nor did he appear to be susceptible either of remorse or melancholy.[2]

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[1] This must mean, leniently so interpreted. By his sister's "attempts at a guardianship" is meant her personal endeavours to save her brother, whom she dearly loved, from the consequences of his own passion. Of this afterwards.

[2] The Duke of of Douglas succeeded his father the Marquis in 1700, when only six years of age. In 1703, when only nine years of age, he was created Duke of Douglas, &c. &c. by George II., so there was no great *merit* in his attachment to that royal family. In 1715 when just of age, he levied and disciplined his vassals in Clydesdale for the service of Government ; and he himself served as a volunteer in the same cause at Sheriff-muir. So that the Duke of

Another item of evidence, derived from the great collection of "Proofs and Exhibits" in the Douglas Cause, dovetails with the above, and tends to clear it a little further. One Mrs Carse, in a long letter to Lady Jane, dated "Inveresk, May 24, 1752," evincing great devotion to her interests and her cause, adds the following spirited advice, which it would have been well indeed for her noble friend had she followed it:—

> Now, madam, how easy may it be for your Ladyship to procure a *royal order*, by interest with the Princess Dowager, to *make* his Grace see you, and be in friendship with you again. *Woe* to them that was the *occasion* of the first breach,—which was *the leaving his house*. That was the beginning of all the difference. But *his Grace lies entirely at the King's mercy*. Besides, he's obliged to grant his majesty any request, as he (the King) most graciously granted him the poor request of giving the Church of Libberton to White's[1] son.

Turning again to the old Scots Magazine we there find a very long and elaborate article,—in the form of a letter to the editor of

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Douglas had an original quarrel altogether with that no less loyal *Stewart* who *became* his sister's husband. For Mr Stewart, when merely a cadet of the Grandtully family, of which he afterwards became the chief, served in 1715 as Lieutenant-colonel of a *Jacobite* regiment. No marvel, then, that the Duke of Douglas, when he found that Mr Stewart was insinuating himself into the affections of Lady Jane some years before they were married, he being not only a younger son, but a penniless widower with a son by his former marriage, became enraged at the prospect of such an alliance for the most illustrious heiress in Scotland (his Grace having announced that he never meant to marry), with a dissipated Jacobite, the younger son of a family which, however ancient and highly connected, was not, and had no prospect of ever being, ennobled. Neither is it surprising, considering this state of matters, and the mental condition of the Duke, that even such mean creatures of the Hamilton faction as "Stockie" could, for a time at least, make him believe anything they chose to invent, for the purpose of preventing a personal interview between his Grace and his sister.

[1] James White of Stockbriggs,—the rascal "Stockie."

the "Summary of the Speeches of the Lords of Session upon the Douglas Cause," which letter is entitled, "An Impartial Account of the Douglas Cause," wherein the writer thus speaks of Lady Jane Douglas, with some reference to her early history, but so inexplicit that we must seek elsewhere for the solution,—

Lady Jane Douglas was universally acknowledged to be one of the most accomplished women of her age and country,[1] remarkably handsome in her person, liberal in her mind, and engaging in her manners. It was then thought that she would prove one of the happiest of her family, and be courted by persons of the first rank. But some *strange fatality* having prevented a most advantageous match taking place betwixt her and a nobleman of the first rank and fortune in Scotland, Lady Jane was *so much piqued with some private incidents in this affair*, which happened in the year 1721,[2] that from that time till she was pretty far advanced in life she seemed resolved to refuse any other offers that might be made to her.

But what was the "strange fatality" that prevented this advantageous match? and what match was it? For this we must return again to the great repertory of the "Douglas Cause." Mrs Hepburn, the Duchess of Douglas's sister, whose evidence I have already referred to in a previous note, speaks out a little more distinctly, in the same deposition :—

Depones that she has heard, *from the Duke of Douglas*, and others, that Lady Jane Douglas, when young, *went over to France disguised in men's clothes*, and

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[1] Her *perfect* letter to Mr Pelham, when soliciting the King's bounty, because of her mean brother withdrawing the paltry three hundred a-year which he had allowed his only sister, may be taken as a sample—(see before, p. 64). Never did beggary (for to that condition was Lady Jane suddenly reduced by the cruelty of her brother) sustain the prestige of inherent nobility in language more dignified, more appropriate, or more affecting. "Presumptive heiress of a great estate and family, with two children, *I want bread*"! What eye could read that unmoistened? This was a beggar worthy of a King Cophetua.

[2] It was in 1720, as will be seen in the sequel.

that this happened upon occasion of her *thinking herself affronted* by the Duke of Buccleuch, to whom she was at that time to have been married. Depones that she has heard, *from the Duke of Douglas*, and others, that this step of Lady Jane's was owing to the influence of a French governess, who had got the ascendant over her; and that *she has heard* the Duke of Douglas mention that the affair between the Duke of Buccleuch and his sister occasioned a quarrel, which *produced a duel* between the Duke of Buccleuch and him.[1]

It is not surprising that this mode of breaking off an alliance so desirable, supposing the circumstances, which are merely hinted at in Mrs Hepburn's deposition, really justified Lady Jane Douglas in breaking off from the Earl of Dalkeith, should have roused the inflammable temper of her brother to its highest pitch, and brought herself under the displeasure of her cousin the Marquis of Lothian, and her uncle Lord Mark Kerr, and even, for a time at least, into disfavour with the kindest of all her cousins, Lady Mary Hamilton,

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[1] The Duke of Buccleuch here mentioned was only Earl of Dalkeith at the time of this duel, about which not one word can we find even in Mr Wood's great historical Peerage of Scotland, where the genealogies amount in fact to family histories. Yet the bloody and brutal duel between the Duke of Hamilton and Lord Mahon in 1712, is minutely recorded in that work, with all its ghastly particulars. The silence of chronicles, private or public, (so far as I can discover) about this duel between the Duke of Douglas and Lord Dalkeith is the more remarkable that the contemporary writer in the Scots Magazine, (previously quoted), declares it to have been a duel "*as bloody and desperate* as that which has been so often recorded between Bruce and Sackville in the reign of James I." There is at least so much of exaggeration in the comparison, that neither Douglas nor Dalkeith appear to have either lost their lives or been maimed in the fray; whereas in that frightful duel at Bergemopzoon, in 1613, Lord Bruce of Kinloss lost his life on the spot, with many mortal wounds; and although Sir Edward Sackville lived to become Earl of Dorset, he too had nearly died from loss of blood, and was mutilated in the hand. But the very comparison implies that the duel to which the Duke of Douglas himself alluded, in presence of Mrs Hepburn, could have been no child's play. It had occurred of an earlier date than the commencement of the Scots Magazine; but surely there is an account of it somewhere?

and the best and kindest of all advisers, Mr Hamilton of Innerwick. So desperate a mode of exhibiting a determined will of her own, in the matter of marriage, argued a spirit of reckless independence, in this young lady of the highest quality, and greatest prospects, who had not yet completed the first year of her majority, that could not fail to shock and alarm her many noble and proud relations. It is satisfactory to find, however, in tracing the story a little further still, that a certain high and mighty dame, who, it seems, had made the match, expresses her own disappointment at this strange disruption of it, without a word of blame or rebuke, against the beautiful and thoughtless young creature who had scared them all with so wild a demonstration of the Douglas blood in her veins. But her life at home must have been rendered miserable.

It was Duchess Anne of Buccleuch herself, it seems, who had arranged this most appropriate marriage for her grandson and heir, the Earl of Dalkeith, now just entering his twenty-sixth year. Writing from London to her friend Lord Royston,[1] on the 2d of February 1720, she says,—

> I believe few people in the world has their time at their own command, but in this town I am sure none has; otherwise I had writ to you before this, to inform you of a most agreeable undertaking I am about, which is, to see my Lord Dalkeith married to his own satisfaction, and all the friends he has in this kingdom. It is to the Duke of Douglas's sister, Lady Jean, whom I had heard *much commended* before I saw her; and since that *she has lost no ground with me.* I think her person very agreeable, and my great project, of having my grandson no stranger to his own country, is in all likelihood not to be disappointed by marrying a Scots lady.

[1] Sir James Mackenzie of Royston, Bart., a Lord of Session by that title.

But the old saying, "There is many a slip between the cup and the lip," was here destined to be verified, as we also learn from Duchess Anne herself. Writing again to Lord Royston, on the 4th March 1720, just one month after the date of her former letter, her Grace says,—

> Mr Somervill has acquainted you with *my disappointment* in the marriage of my grandson. Her noble Grace of Queensberry *I impute it to*, because she has the same fait [fate?] which some others has in this world,—more power than they deserve.

This is all that her disappointment elicits from the Duchess on the subject. There is not a remark derogatory to the granddaughter of her choice, or a hint at the strange escapade that severed them in the previous month of February, and which laid the young lady so open to unfriendly criticism. But this is not all. Once more Duchess Anne writes to Lord Royston on the momentous subject of her grandson's marriage, and this letter bears date in the same month of March 1720,—"I hope," writes her Grace this time, "you approve of Lord Dalkeith's intended marriage with the *Duke of Queensberry's* sister, *Lady Jean*. My last letter was too long to ask this question." Not another word does her Grace say on the subject in this letter.[1] She passes no remark whatever, either upon the character or personal appearance of this Lady Jean Douglas No. 2 (also the sister of a Douglas Duke), who came so immediately, and so opportunely,

[1] In the muniment book of Grandtully (to be afterwards noticed), where I find these letters, the long one to which the Duchess alludes, does not appear.

to supply the place of Lady Jean Douglas No 1. This was quick work; and if Lord Royston knew no more about the matter than what is disclosed in these letters, it must have rather perplexed that worthy Lord of Session over his cases and his claret. Her Grace of Queensberry, and her sister-in-law, Lady Jean No. 2, carried off the prize, at the same time taking good care there should be little time for a Lady Jean No. 3 to come between the cup and the lip. The Queensberry lady was married to the young Buccleuch on the 5th of April 1720, about two months after the Douglas lady *erupit, evasit,* leaving Duchess Anne of Buccleuch lamenting. But the god of love, in this illustrious instance, proved himself a good and provident archer. Never was Cupid's bow more deftly provided with a spare string. The marriage with Lady Jean Douglas of Douglas would in all probability have brought the dukedom of Douglas into the Buccleuch family; for, failing the childless Duke, the heiress of the great House of Douglas, and the heir of the great House of Buccleuch, would surely have obtained, for themselves or their progeny, a new grant to keep the Douglas dukedom alive in so lofty a line. On the other hand, however, Lady Jean Douglas of Queensberry became the source through which the dukedom of Queensberry is now so auspiciously conjoined with the dukedom of Buccleuch.[1]

This matrimonial *fracas* eventually worked such long and weary

[1] It is only since the previous pages of this "Memorie" were sent to press that I have been so fortunate as to stumble upon these letters of Duchess Anne to Lord Royston, in Mr William Fraser's Muniment Book of the Family of Grandtully, of which there is a copy in the Advocates' Library.

woe to the beautiful, high-spirited, and cruelly persecuted heiress of the great House of Douglas that she died, as we have seen, in broken-hearted misery and poverty. Indeed we may apply to her the poet's wail over the maiden whose lover deceived her,—

A weary lot was thine, fair maid,
A weary lot was thine,
To pull the thorn thy brow to braid,
And press the rue for wine.[1]

The most detailed and authentic narrative of her youthful escapade that I can discover is preserved in the unpoetical pages of a law paper. But although now out of sight, and out of memory, buried in the legal dust of more than a century, Sir Ilay Campbell's great "Memorial" for the information of the Court of Session, as counsel for Archibald Douglas of Douglas, written in 1766, many years after his mother had found rest in the grave, is a work of real genius, of great labour, and wonderful lucidity. Sir Ilay thus tells the story :—

Lady Jane was brought up by her mother the Marchioness[2] in principles of the strictest piety, which she always retained. Her great beauty and accomplishments procured her universal attention, and an alliance so honourable was courted by persons of the first rank and fortune in this kingdom. An incident, however, happened at an early period of her life, which is now unjustly taken held of to her prejudice, though her conduct was *vindicated* at the time, and was indeed the effect only of high spirit, and perhaps of uncommon sensibility. She had been *prevailed on* to listen to the addresses of a nobleman of distinguished rank, who solicited her in marriage. Everything was settled by their mutual friends,

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[1] The *thorn* was her reckless bankrupt husband; the *rue*, her bitter heart-hardened brother.
[2] Lady Mary Kerr, my mother's great-grandaunt.

and the match ready to be concluded, when Lady Jane, who then happened to be in London, was surprised one day at having *her chair stopped, when going to Court*, by a person unknown, who delivered her a letter, wrote *in the name of her supposed lover*, signifying that he was under engagements to another lady, whom he had long been fond of, and without whom he could not be happy. It would have been a singular instance of philosophy in a young lady of her high fashion, and so much accustomed to admiration, had she submitted with patience to so cruel an affront. Lady Jane figured to herself that an adventure of this kind would soon be in the mouths of the world, and that she would be exposed to ridicule and contempt. Full of this idea, she resolved to abandon for ever a country in which she imagined she could no longer pass her days with comfort; and having set out privately, and in disguise, in order to prevent discovery, attended only by her maid, who was a Frenchwoman, she went over to France, with a determined purpose of shutting herself up in a convent. Her mother, the Marchioness, soon followed, and came up with her before her intentions were fully completed. The Duke, after avenging the insult which had been offered to his family, by fighting the *supposed* author of it, went also to France in quest of his sister, and prevailed with her to forget what had happened, and to return to her native country. The Duke, both before and after this period, appears to have entertained a very high regard for his sister, which he expressed by executing settlements and deeds in her favour at different times.

About the 1725 the Duke was suspected of having committed a rash action, which made it necessary for him to live in retirement;[1] and from that period, for many years, he continued to lead a solitary life in the Castle of Douglas, where few people had access to him, and where he became a prey to designing and interested persons. Lady Jane lived in Edinburgh with her mother the Marchioness, and seldom had occasion to meet with her brother. In 1738 an incident happened which produced a misunderstanding between them. The Duke, in a fit of passion, had beat one of his dependants; and as this made a noise in the country, and revived in some degree the former story, then almost forgot, it was given out, and believed, that an information had been lodged against him to Government. Lady Jane heard soon after that he had thoughts of leaving his retirement to pay a visit in Edinburgh. She wrote to him, *by*

[1] This is very tenderly treated by Sir Ilay. The *suspicion* of a rash action is not likely to make it necessary for a great Duke to live in retirement. See before, p. 60.

express, begging him to delay his journey, and signifying an apprehension that he might be put to trouble if he appeared in public at that time. This letter, though well intended, gave offence to the Duke. He prosecuted his journey to Edinburgh, and by an accident did not meet with his sister; and he returned to the country very much dissatisfied with her.

About this time a person called *White of Stockbriggs*[1] had insinuated himself into the confidence of the Duke, and acquired remarkable influence over him. He lived with him in the Castle of Douglas, and continued for many years to be his sole adviser and favourite. This was an unlucky connection both for the Duke and Lady Jane, as it was for the interest of Stockbriggs that the Duke's relations and friends should be kept at a distance from him.

Lady Jane had often, when in favour with her brother, and subsequent to her return from abroad, as above noticed, been pressed by him to marry. Addresses were made to her by *several noble Lords*, but they proved ineffectual, for reasons unnecessary to be mentioned.[2]

It would appear from Sir Ilay Campbell's narrative that the cruel letter delivered to Lady Jane as she was going to Court was not actually a letter from the Earl of Dalkeith. As the evidence stands, the young nobleman must be acquitted of that unmanly insult. It reads like a feminine plot, and Duchess Anne "imputes" it to "her noble Grace of Queensberry." The fact remains, however, that the young heir of Buccleuch, in the course of a few weeks after being on the eve of marriage with Lady Jane Douglas No. 1

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[1] See before, p. 74. In the paper of *memoranda*, kept by the Duke's gentleman, William Greenshiells, he notes,—"*Stockbriggs* first raised the story of the children not being Lady Jane's."

[2] In all probability, between the period of her flight to France, in 1720, from whence she was immediately brought back, and 1725, which was the year in which the Duke had the misfortune to "murder, in a fit of madness," the natural son of his uncle Lord John Kerr, Lady Jane Douglas had allowed her affections to become entangled with that unfortunate youth, which had roused to frenzy the proud and passionate Duke. This can only be conjectured, under correction of the latent document in the Lothian charter-room.

was married to Lady Jane Douglas No. 2; whether of his own free choice or not who can say. There is some evidence, however, that the insulted lady had refused to listen to the Earl again, and immediately broke away, in that girlish indiscreet fashion, to avoid the storm, and the miseries of home under a mad and violent brother. Among the productions in the Douglas Cause I find a letter in French (with a translation for the suit) to Lady Jane, from her dear and devoted friend, Sabine Countess of Bassevitz, dated 6th March 1751, wherein she thus alludes to the affair with Lord Dalkeith in 1720:—"People who have access to know have assured me that the Duke of Douglas had as little inclination to favour his *cousin* (Lord Drumlanrig) as his *sister*, and that he intends to leave all that he can dispose of at his death to a *female cousin, of the same name with yourself*, and who is married, if I am not mistaken, to *the same Duke of Buccleuch whose hand you formerly rejected.*"[1]

This curious story, which, so far as I know, has never hitherto entered the family history of Scotland, is pointedly alluded to by my mother's great-uncle, Lord Mark Kerr, in a correspondence with his niece Lady Jane herself, during the culminating crisis of her subsequent troubles. His letters are very characteristic of the still

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[1] Duchess Anne's letter of date 4th March 1720, as given in the muniment book of Grandtully, in which her Grace, speaking of her disappointment in the matter of her grandson's marriage, says, "Her noble Grace of Queensberry I impute it to," creates a puzzle about dates. This could only mean the Duchess of Charles third Duke of Queensberry—"Prior's Kitty." But they were not married (according to the Peerage) until the 10th of March 1720. I do not profess to solve this.

fiery *preux chevalier* of the Lothian family, now in his seventy-fifth year. Lady Jane had written to her formidable uncle, announcing the birth of her twins. Nothing could be kinder than his first answer :—

London, April 8, 1749.

Madam,—As to my not answering your letter I had some time ago, I need not give you the trouble to explain how that was; yet nothing can stop me from doing all in my little power to serve you *now*. I will renew my correspondence, first, with your brother, who I have not wrote to of some time; then I will use all my best arguments to endeavour to persuade him as I wish and want he should. It is needless to go back. Yet I must say so much, that I heartily wish that you had staid in Great Britain, or had returned so soon as you found any prospect of produeing,[1] which I heartily wish you joy of, and that they may both live; but if one do, it will, I hope, move your brother. If he thinks right, he will both take eare of them and you. Believe me it shall want nothing in my power to do, and with the adviee of some others most capable. So now, madam, I hope you will allow that I show *no peevishness—no resentment*. I wish, *with all my soul*, I may be able to serve you. To repeat, it shall want nothing in my little power. This *you may depend upon*. My dear Lady Jane, I am in truth really your most obedient, and most sineere and real servant and well-wisher, Mark Kerr.

Had Lord Mark forgotten this letter when, only ten months later, namely January 29, 1750, no change of circumstances having occurred,—except the ever increasing claims of his unhappy niece to kindness and support,—this venerable Hotspur thus again addressed her. Probably she had meanwhile written

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[1] The twius were born 10th July 1748. Poor Lady Jane was apt to be sick unto death at sea, and, as she herself expressed it, was afraid of parting with her preeious burden. Moreover, having contracted debts abroad, she had not the wherewithal to return to her *bête noire*.

some strong remonstrance to her capricious uncle, which had stirred the embers of his wonted fire, after this somewhat incoherent fashion :

MADAME,—As to anything your Ladyship may have heard, I know nothing of it. For my part,—my *shewing the highest friendship for you*,—you, madam, *know best*. Now, to say nothing but the truth, your two trips into France I do think there is no apologising for. Which is the worst, I will leave the world to judge.[1] I have used *my best endeavours* to serve you with your brother,—which is the most natural way of doing you the most honourable service. As to putting my hand to do it in *any other shape*, you will pardon me, Madam. Your behaviour *thirty years ago next month*, and *four years agone* very soon now, are both *mighty fresh* in my memory. So I must tell you plainly, that, from henceforward, I give up all correspondence. *I wish you well*, and shall endeavour still to persuade your brother to *think as I do, to take care of you and your two sons*, which *I hope in God* he may be persuaded to do. From, Madam, *with all respect*, your most obedient and most humble servant,

MARK KERR.

N.B.—Madam, it is all your own doing ; with *bad advice* too.

I hope *you will pardon* my using another hand, which I have been obliged to do of some time.

Upper Brook Street, *January* 29th [1750].

Although the year is not mentioned, there can be no doubt that this unforgiving letter,—strangely garnished with a courtesy that reminds one of the address to a female criminal by a very courteous colonial Judge in our own times,—"Madam, dry your tears, and go to prison for eighteen months,"—was written in the year 1750. For writing to the Earl of Crawford, who had interceded most

[1] The first trip was in 1720, when breaking off from Lord Dalkeith ; the second was her secret marriage in 1746, when she went abroad with her husband.

warmly on behalf of Lady Jane, Lord Mark, after some delay in answering the Earl's letter, thus replies :—

I hope that your Lordship does not think that it is from the want of the greatest respect for Lord Crawford, or of *all tenderness and concern for that lady*, that I have not answered your Lordship's letter sooner. I am a little difficulted how to act, knowing too well *who I have to deal with*. I have wrote once, to renew our former correspondence. When last in Scotland, we were *pretty well*. Nay, I had carried a point with him to increase Lady Jane's allowance. By her *late acting*[1] all that I thought I had done is overturned,—*as she did in the year twenty, when she was just to be married to this Duke of Buccleuch*. Notwithstanding of all, I shall do everything in my power to persuade his Grace to make her easy ; and I hope that the extraordinary circumstance of her bringing two sons into the world may at least move his Grace to do what all his friends most heartily wish.[2] My Lord, I had her letter to my Lord Blantyre,[3] which your Lordship was pleased to send me, which I returned to his Lordship, with my desire that he would be so good as be at the trouble to write to the Duke, to let his Grace know he had seen the two boys, which I hope will take off some suspicions he has, calling them, in a *jocular* way, "*Pretenders*." Your Lordship's goodness for Lady Jane is a strong proof of your humanity and goodness of heart, which all the world allows. It is impossible to be more than I am,

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[1] Her secret marriage to Colonel Stewart, more than three years before.

[2] This letter gives us the year 1720 as that in which Lady Jane fled from Lord Dalkeith to France. Lord Mark's letter to Lady Jane herself, written on the 29th of *January*, speaks of "your behaviour *thirty years ago next month*." Now, thirty years *subsequent* to 1720 brings us to 1750 ; consequently Lord Mark's last letter to Lady Jane must have been written in that year. From that it would seem Lady Jane herself had thrown over Lord Dalkeith.

[3] Lord Blantyre was too unwell at the time to receive Lady Jane's letter, so Lord Crawford sent it to Lord Mark. This was Walter 8th Lord Blantyre, who was devoted to Lady Jane, and highly indignant at her brother's conduct. Writing from Utrecht, 10th February 1747, Lady Jane says,—"Among the rest of the British, young Lord Blantyre deserves the greatest praise. He has extreme good sense, the best scholar, the greatest application, a vast pleasure in reading, and the best taste of books, is free from all manner of vice, and has the sweetest temper in the world, and in all appearance will be a very great honour to his country." He died at Paris, 21st May 1751, in his 25th year.

John, 18th Earl of Crawford, and 4th of Lindsay, died of his wounds in 1749. So the valuable evidence of both these noblemen was lost to Mr Douglas in the calumnious suit of 1762.

with the greatest respect, your Lordship's most obedient, and most faithful humble servant, MARK KERR.

Henley on Thames, June 3 [1749].

My hand was never good, and as I grow older is grown worse; I do think fully as bad as *our worthy friend* Lord Stair's was.[1]

Lady Jane Douglas, however, might well be consoled for the harshness of her mother's brother, by the very high estimation in which she was held by this far-descended Earl of Crawford and Lindsay, who was still proud to "call cousin" with her. Being on terms of the most affectionate intimacy and daily intercourse with Lady Jane while abroad, he, and also Lord Blantyre, were far more capable of judging her conduct, and appreciating her character, than was her mercurial uncle Lord Mark Kerr. After the Earl had become perfectly satisfied that Lady Jane was on the eve of her confinement, he wrote the Duke an earnest letter in her behalf, announcing the important fact, which, as well as Lady Jane's own most touching appeals (enclosed to him by Lord Crawford), if they ever reached him, met with no response. In this he says :—

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[1] John second Earl of Stair, the great Field-Marshal, under whom both Lord Crawford and Lord Mark Kerr had served. Lord Mark's stiffness on the point of honour, and frequent appeals to the sword, are alluded to in the peerage history of the family. One well-known story of the kind, in connection with Lord Stair, I shall here give, according to the version written to me by his namesake, the present Major-General Lord Mark Kerr. "Lord Mark Kerr had just joined the staff of Lord Stair, in the Low Countries, I think, and at a large party in his tent one evening was grossly insulted by some foreign officer. Lord Mark seemed to take no notice of the insult, and therefore when the company had left Lord Stair called him, and told him that he was wrong not to have done so, and that, in fact, he must do it; to which Lord Mark Kerr's only answer was,—'*They are burying him outside now.*' He had indeed slipped quietly out of the tent, fought, and killed his man, and seen to his burial." Lord Mark died in 1752, in the seventy-seventh year of his age. See before, p. 24.

Allow me, once more, to intreat you will neither by *silence* nor *indifference* hazard the bad consequences that may follow either the one or the other. I can assure your Grace, Lady Jane *does great honour to her family wherever she appears*, and is *respected and beloved by all that have the honour of her acquaintance*. I shall only add, that your Grace's rendering Lady Jane satisfied, and happy, by a reconciliation, and such other marks of your brotherly affection as shall seem proper, shall ever render me, unalterably, your Grace's most devoted relation, friend, and humble servant, CRAWFORD.

Neither did this noble letter elicit any response from the degenerate Duke, whose correspondent was a nobleman of very ancient descent, greatly distinguished for his accomplishments in all the arts of peace and war, the first horseman and swordsman of his day, famous, indeed, in the eyes of the whole world, for his splendid military antecedents, one, in short, who, by comparison with the first, and last, Duke of Douglas, was "Hyperion to a Satyr." Once again, immediately on the birth of the twins (10th July 1748), the good chivalrous Earl had deigned, it seems, to address his gloomy and silent relative. Writing his congratulations to the father of the twins, he says,—

I also wrote to the Duke of Douglas a second letter, though I had no answer to my first, intimating to him my Lady Jane's safe delivery, and *thundering in his ears his family's cause*, and trying to *rouse up all that is Douglas in him*. I wish it may have the desired effect.

It moved him not,—assuming that "Stokie" had ever permitted any one of these appeals to reach their destination,—a doubt that must qualify every judgment of the Duke of Douglas's conduct to his only sister.

But there still remains to be recorded another foolish step taken by that ill-fated lady, which for a time deprived her of the advice and protection of one who might possibly have saved her, by his influence with the Duke, and certainly would have exerted himself to do so,—Mr Hamilton of Innerwick,—had she not, by a sudden act of suicidal folly, cast herself loose from his protection. Thereby hangs a tale:

As Lady Jane herself mentions, in her eloquent appeal to George II., through his prime minister, her father, the Marquis of Douglas, had left her, "his only younger child, in a manner unprovided for." The grievous wrong was remedied, or intended to be so, in 1733. This was the year in which the Duke wrote those letters to Mr Hamilton, only now produced from my mother's repositories, which certainly betray no symptoms of the irascible and violent dispositions that rendered him a sort of state prisoner in his own Udolphic castle. In that year, when he was consulting Innerwick about a project he appears to have then entertained of going abroad, he executed settlements, in which his sister was properly provided for, and on the footing of her being heir-presumptive to the great House of Douglas. No doubt the chief adviser upon this occasion would be the relative whom all, including the Duke himself (as his letters of that year prove), esteemed, and consulted under all circumstances, whether of love or law,—my mother's grandfather, namely, who was also, by marriage, nephew to the Marchioness of Douglas. In a memorial relating to the family affairs (one of the *exhibits* in the Douglas Cause, "recovered out of the repositories of Lord Charles Kerr," the Duke's uncle), it is stated that "the settle-

ments made by the Duke (in 1733) in favour of Lady Jane Douglas, and her *bonds of provision*, were put into the hands of Mr Hamilton of Innerwick, by the Duke, the Marchioness of Douglas, and Lady Jean, to be kept by him *for Lady Jean's behoof*." But, unfortunately, Lady Jane neither consulted Mr Hamilton (indeed no one else) as to her subsequent ill-fated marriage, nor continued to trust him with the family documents executed in her favour. Of a mother's protection and guidance she had long been deprived; and so, rushing upon her fate, by a very unequal marriage, secretly contracted, she immediately departed with her husband to France, a married woman, unbeknown to all her nearest relations and best friends.

Doubtless it was upon this occasion, and because of her latent intention to remain abroad for an indefinite period, that she had determined to carry along with her all those precious papers which had been consigned to the safe keeping of Mr Hamilton for her special behoof. To accomplish this, again the ardent blood of her race impelled her to a course at once unbecoming her position and eventually ruinous to her interests.

In the year 1749 the mad Duke, while his sister was still abroad with her husband, and soon after the birth of the twins,—the low-bred rumour of whose supposititious birth, mad as he was, he never believed, although most unreasonably exasperated against his sister upon totally different grounds,—raised a process of *exhibition* against Mr Hamilton for the recovery of those documents which the Duke himself had delivered into his custody for his sister's behoof, and which he now reclaimed for the express purpose of reducing

her to beggary. Innerwick, accordingly, was called upon to depone in this unpleasant process, which he did as follows :—

At Edinburgh, the 20th day of June 1749 years, in presence of the Lord Kilkerran, compeared Alexander Hamilton of Innerwick, and being solemnly sworn, examined, and interrogated, agreeable to the Act pronounced in the process of exhibition against him, at the instance of Archibald Duke of Douglas, *depones*, That he has none of the writings called for, if they were not among those which were put into his hands in the manner after-mentioned. *Depones*, That twelve or fourteen years ago his Grace the Duke of Douglas, the Lady Marchioness, and Lady Jean Douglas, proposed to the deponent to take some papers into his custody that belonged to Lady Jean Douglas, which accordingly the deponent did, without opening or looking into any one of the papers ; only he remembers that, in taking of them up, he saw upon one of them—"*Bond of provision, the Marquis of Douglas to Lady Jean Douglas, his daughter.*" That he, for his own satisfaction, wrapped them up, and sealed the cover with his own seal, and wrote upon the back, that the enclosed papers were delivered to him, by the noble persons above-mentioned, in custody, such a day and such a year, and that, in case they were found by [beside] him after his death, they should be delivered without opening of the seal. That when the deponent was in London attending the service of Parliament, he received a letter from his wife, Lady Mary Hamilton, telling him that Lady Jean Douglas came to her when in town, telling her that she wanted up her papers which the deponent had in custody ; and that Lady Mary had answered that that was impossible, because they lay in the deponent's cabinet in the country, and he had the key along with him ; that thereupon Lady Jean answered that she was heartily sorry ; that, since she must *necessarily* have the papers, she must go out to the deponent's house, and have the cabinet broken open ; and that, accordingly, Lady Jean went out that night or next day, called a smith, and brought the deponent's children's *tutor*,[1] and the most creditable servants of the family, to be present at the breaking open of the cabinet ; and the same being broken open, that she, finding the bundle with the foresaid inscription upon it, carried the same away, and sealed up the cabinet with her own seal, which the deponent upon his return found entire, and found the said bundle was away : And depones, That he does not know, or suspect,

[1] Mr Johnston, the tutor at Ballincrieff. See before, p. 8.

where the writings called for may now be, except they be in the custody of the said Lady Jean Douglas.—All which is truth, as he shall answer to God.

This wild escapade doubtless occurred about the time of Lady Jane's secret marriage to Colonel Stewart, which came off in what was then her own dwelling, Drumsheugh House, near Edinburgh, where Bishop Keith joined their hands, on the 4th of August 1746. Lady Jane, as we have seen, returned in 1752, with her infant twins, to Edinburgh, where she was received with open arms, and every demonstration of cousinly affection, by Mr Hamilton and Lady Mary, notwithstanding her brusque invasion of Ballincrieff House, some six years bygone. That supper-party, in which they were so merry together, drinking the health of the unfortunate Colonel Stewart, whom his creditors had consigned to limbo in London,[1] was the first occasion on which Lady Jane had met the Laird of Innerwick since that violent tampering with his private repositories at Ballincrieff. There could not fail to have been a good deal said on the subject when she was thus confronted with the *quondam* custodier of her papers, who had been chosen for the purpose by her mother, her brother, and herself. But it is plain that Innerwick harboured no animosity against her for a proceeding from which nobody suffered but herself. Probably he was not sorry that his hands were completely cleared of that trust, not only by her own act, but also by his oath emitted in the process of exhibition.

Poor Lady Jane was indeed the sufferer. A double-faced doer—

[1] See before, p. 66.

if the proprieties of language permitted, the alliteration might be prolonged by another word—tempted her to give up the papers she had still retained, by the seductive plea that the restoration of them to the Duke would ensure, that first desire of her heart, a complete reconciliation with her only brother. Lady Jane herself and Sir Ilay Campbell both tell the story. The former, in a letter dated 8th December 1752, thus prefers her plaint to the excellent minister of Douglas, her devoted friend, and at the same time on very intimate terms with the Duke, his patron.

I must acquaint you with a pretty odd procedure in Mr Archibald Stuart. I gave him my papers *to deliver to my brother*. Mr Stuart received them from my hands with remarkable transports of joy! A very strange demonstration to shew before me, who must suffer so much in my interest in delivering them up. But this is the time of my suffering all kind of distresses, even insults too. Mr Stuart promised, without my desiring it of him, to use his warmest endeavours to persuade my brother to restore to me the 30,000 merks, which he had formerly made me a present of; which paper I gave up among the rest. He also assured me he would do all in his power to incline my brother to restore back the £300, withheld these few years past. I thanked Mr Stuart for these fair promises, and desired him to press that matter no further than he could do it safely for himself, not to incur my brother's displeasure by any act of friendship done to me, begging him to make me a report how things went, at his return from Douglas Castle. But so far from complying with that just and reasonable request, he has never once come near me, nor sent me a single line, though I reposed so much trust in him as to give him my papers *to deliver to my brother*, which I gave to Stuart on the 27th of October, and now it is the 6th of December. I am not ready to suspect, or to put bad constructions upon, any person's way of acting, but this conduct of Stuart's must occasion various thoughts. When I inquire what this gentleman is about, that occupies him so much that he does not find time to behave with common civility, and the decency that is due, the answer I receive is, he is constantly down in the Abbey, consulting and contriving matters with the Duke of Hamilton.

Sir Ilay Campbell, in his great Memorial already quoted, thus completely exposes the iniquity that followed.

Mr Archibald Stuart, then agent to the Duke of Douglas, had been much connected in friendship with Sir John Stuart, and it appeared that they corresponded together in a familiar style while Sir John and Lady Jane were at Rheims. Mr Stuart, however, became also employed in the business of the family of Hamilton, whose interests, in opposition to Lady Jane's, he thought proper very warmly to espouse. In 1752, when Lady Jane came to Scotland, she was still possessed of the procuratory of resignation of the estate of Dudhope, the bond of provision, and some other deeds which the Duke had executed in her favour. These writings the Duke was very anxious to have restored to him, and accordingly it appears that Lady Jane, *in compliance with her brother's desire*, delivered them up to Mr Archibald Stuart upon the 27th October that year. The inventory is in process, with Mr Stuart's receipt subjoined, in these words :—"I, Archibald Stuart, writer to the signet, grant me to have received from the Right Honourable Lady Jane Douglas Stewart, the whole writs in the above inventory, being five in number, *in order to be returned and delivered up to his Grace the Duke of Douglas, her Ladyship's brother*.—In witness whereof," &c. Lady Jane no doubt expected that her brother was to be made acquainted with the obedience which she had thus given to his commands, and that the papers would immediately have been carried to him. In place of this, your Lordships will observe what happened. *The Duke was made to believe that Lady Jane had refused to give up the writings.* He was highly incensed at her for her conduct in that particular; and, *at the very time that the writings were in possession of his own agent, Mr Archibald Stuart*, a process of exhibition and delivery was carried on before the Court of Session in the name of the Duke, and decreet recovered against Lady Jane in absence, of date 1st August 1753, decerning her to deliver them up.[1] Indeed it appears that Mr Stuart kept these papers in his own custody till he was called on to produce them in the competitions for the estate after the Duke's death.

This villany was successful. Poor Lady Jane had no reason to doubt that the family papers which she had placed in the hands of

[1] Lady Jane died, broken-hearted, on the 22d November thereafter. See before, p. 73.

the Duke's agent on the 27th October 1752 (just two months after she had returned to Scotland), for the purpose of being given up to her brother, in terms of the receipt granted, had been delivered accordingly by this Archibald Stuart, and would be the means of softening his heart to herself and her precious twins. At this time, for a very brief space, the future seemed bright to poor Lady Jane. She had been treated most benevolently by George II. After the birth of her children she was introduced at Court, and also presented privately to the royal family, who, well aware of the cruel conduct of her brother, in withdrawing her whole means of support, received her with the utmost sympathy and tenderness. The elite of the Scottish nobility, who were *intimate* with her abroad at the very time of her imputed schemes of high treason against her own illustrious house, held her in the greatest esteem and admiration. The truly noble Earl of Crawford wrote to her semi-insane brother, as we have seen, that heart-felt character of her,—"I can assure your Grace, Lady Jane does great honour to her family wherever she appears, and is respected and beloved by all that have the honour of her acquaintance." Young Lord Blantyre (of whom she herself has furnished so interesting an account), writing from Paris in the month of January 1749, after the birth of the twins, says,—"I hope to hear, by your first letter, that your affairs have taken a turn, and that fortune persecutes you no more. You have suffered more from her caprice than any one I ever knew, and you have bore it all with a constancy and cheerfulness quite uncommon. Many are unfortunate, but few, *very few*, are unfortunate with so much grace as your ladyship. Everything will be compensated

soon. At least I hope so. I hope the two young heroes are well."[1] The letter in which these passages occur had remained still unanswered by the 24th of April thereafter, for of that date Lord Blantyre again writes from Paris another letter, so affectionate that it must be given entire :—

MADAM,—So long a silence makes me afraid that the letter I wrote to your ladyship in the beginning of January has never reached you. If it is so, I am sorry for it, because you will think me guilty of a neglect that I am innocent of. If, on the contrary, my letter has come to hand, I shall still be more uneasy to guess at the reason of my not hearing from you. The only way to draw me out of so cruel a perplexity is to let me hear from you soon, and I know you are too good to leave me long in pain. Write to me soon, dear Lady Jane, and *make me happy;* for nobody interests himself more than I do in everything that regards you. I send this letter by a private hand, that it may run no sort of risk. Adieu, my dear Madam. I send a number of compliments to Mrs Hewit, to Mr Stewart, and to *my two godsons.* Farewell, dear Lady Jane. I am, with the greatest truth imaginable, your affectionate cousin and humble servant, BLANTYRE.[2]

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[1] Lord Blantyre was godfather to the twins. See before, p. 89, note, his own character very gracefully drawn by Lady Jane. At the date of these beautiful letters he was little more than twenty-two years of age.

[2] Lord Blantyre had passed from Edinburgh to Paris between the 12th November 1748 and the spring of 1749. Of the former date he thus writes from Edinburgh to Lady Jane on the subject of the Duke's withdrawing her annuity, immediately after the birth of her boys. "Upon my return home from a party of shooting, about a fortnight ago, I found your ladyship's letter waiting for me at my country house. I opened it eagerly, and remained *thunder-struck* when I had read what it contained. I never did, Madam, allow me to say it, expect much from your brother's *generosity;* but I could not have imagined that he would deal so hardly by your ladyship as to retract your small annuity, when there were so many reasons for his augmenting it. At first I was very loth to believe it; but it has been since so often confirmed to me that it were a folly to doubt of it any longer. What is still worse, Madam, I am afraid, by what I can understand, that there is no room to hope for any change of temper in the Duke; he will not so much as listen to anything that can be said on the subject. This is a very melancholy circumstance; but it is fit that your ladyship should know it, that you may take your measures accordingly." Lady Jane was thus constrained to beg from her Sovereign.

The constant admiration and affection which Lady Jane, from her earliest appearance in society (witness the testimony of Anne Duchess of Buccleuch) to her latest hour, attracted to herself, under all circumstances, in all countries, and from all grades of social rank, by the charm of her graceful person and elegant manners, her angelic disposition, and truly Christian character, affords her (were there nothing else) the protection of the strongest *moral impossibility* against the vile calumny with which the Hamilton faction assailed her memory and her rights. After she had been in her grave for nine years!—after the most trustworthy witnesses to the impossibility of her having been occupied, while enjoying the *daily* society of such loving friends abroad, in carrying through so desperate a scheme as imposing, not one, but two children ("purchased from a foreign foundling hospital, at the rate of eight shillings," as the Hamilton case had it) to be heirs of her own high blood, and illustrious house, were also mouldering in the dust,—did this mean Hamilton clique struggle, with all the greatness of their rank, and the littleness of their souls,—by proceedings, both abroad and at home, only to be equalled, as an audacious mercenary conspiracy, by the Tichborne case in our own times,—to brand the memory of Lady Jane Douglas Stewart with a gigantic deception of the deepest dye in crime, and the least possible probability in fact, and to rob her only son of his great name and inheritance. *Thank God there is a House of Lords!* was the universal cry. "Such," said Lord Chancellor Camden, in his great speech, tearing to tatters the *casting-vote*-judgment of the *Auld Fifteen*,—"Such was the character of Lady Jane—and *character*, my Lords, is *an immense*

thing in cases of this kind—such was the goodwill bore to her by *all mankind*, that the moment she appeared with her children in her hands, all rumours disappeared; there was not a whisper to her prejudice. She carried them publicly to the Assembly at Edinburgh, where they were received as her children."[1] The Chancellor was here alluding to the last gleam of happiness—and it was bright, though brief—that was shed upon poor Lady Jane, ere she found rest in the grave. In a letter to her husband, still a prisoner for debt in London, dated from Hope Park, near Edinburgh, she thus writes, 18th November 1752,—

I went to the Assembly this last Thursday, the King's birthday being solemnised on that day, because the week before was set apart on account of the holy Sacrament. I deal not much in public diversions. It would ill become me, as you are in confinement. But our dear little ones, and I as well as you, are under such great obligations to his Majesty that I thought it my indispensable duty to be present on the day that was appointed for solemnising his birth-day, that I might, by that demonstration, express publicly to the world the sense I have of his Majesty's great goodness to me and mine. And for that reason I took the children with me; and I cannot really express the warm and kind reception we met with from the whole Assembly, which was extremely crowded and full of company. *Archy* and *Sholto* behaved to a wonder, and were caressed beyond measure. I thought the people would have eaten them up; and very many that I did not know complimented me on their account, and upon my being returned to my own country; so that I wanted nothing to make me *perfectly happy* on this occasion but your being there to share my satisfaction, and so to make it complete. I made Mr Linn of Gorgie introduce me to my Lord Advocate's lady, who was directress that night. She received my compliments better than I deserved. The Advocate is one of my best friends. I am under great obligations to him, which I am fond of, as I look upon him as a very valu-

[1] Lord Mansfield (Chief Justice), in a speech of no less indignant eloquence, also pronounced a glowing eulogy on the character and fascinating grace of Lady Jane, from his long personal acquaintance with her.

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able man, as well as a person of weight, and greatly esteemed. Lord Home, Lord Napier, Mr Linn, and many others, asked kindly for you ; so you see you are not forgot here.[1]

Having looked on that picture, now look on this. Only a few months after that brilliant and enthusiastic reception at the King's Assembly poor Lady Jane, in utter ignorance of the shameful deception practised against her by her own agent, Archibald Stuart, in the matter of delivering up her precious papers as a peace-offering to her cruel brother, and in high hopes that he would now receive her and her babes with open arms, proceeded to Douglas Castle, with one in either hand, and only attended by her faithful maid, Isabel Walker, whose description of the scene has been already quoted.[2] From the Duke's own valet, William Greenshiells, one of the few honest men about him, we learn the particulars more distinctly, as contained in his diary, or paper of *memoranda*, which he verified on his deathbed :—

When Lady Jane came to Douglas Castle with her two sons she looked in at the little gate as I was passing through the court. She called, and I went to her ladyship, who told me she was come to wait of the Duke with her children.

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[1] The Edinburgh Assembly Rooms were at that time situated in Buccleuch Place, hard by George's Square, then the most fashionable quarter of Edinburgh ; and the re-unions there were more distinguished and aristocratic than in our own times, in George Street, owing to the greater infusion of high rank, in the Scottish nobility that frequented or resided in Edinburgh during the last century. The Lord Home mentioned by Lady Jane was William 8th Earl of Home, whose mother was Lady Anne Kerr, sister to Lady Mary Hamilton ; thus he was cousin-german to my mother's father. The Lord Napier named was Francis 5th Lord Napier, my father's grandfather. He served as a volunteer under the great Earl of Stair (to whom he was much attached) in the allied army in Flanders, and was at the battle of Dettingen in 1743, when the King commanded. The Lord Advocate referred to was William Grant of Prestongrange, promoted from that office to the Bench in 1754, as Lord Prestongrange.

[2] See before, p. 67.

I proposed to open the gates and carry in her ladyship, but she said she would not go in till I acquainted his Grace. I accordingly went to the Duke, and told him my message, at which he seemed a little surprised, and stood some time thoughtful; and then, *without the least reflection against her*, said, he had no room to put them in, and asked me where he could lodge them. I answered there was room enough; but he desired me to call *Stockbriggs* to speak with him; and when *Stockie* came the Duke and him conversed a little together by themselves. Then *Stockie* left the Duke, came to me, and ordered me to tell Lady Jane she could get no access there. After Lady Jane and the children went away the Duke asked me if I had seen the children. I told his Grace that I had them both in my arms; that the eldest was black, and the youngest, *Sholto*, was *as like Lady Jane as ever a child was like the mother*.[1]

This cruel blow extinguished for ever her hopes of reconcilement with her brother, which had been so sanguine until now. The night of the day on which she was driven from the home that was her birthright she spent in the neighbouring village of Douglas, bitterly bewailing her fate, weeping like Rachel for her children, and would not be comforted. Then came the death of little Sholto, and her heart was broken. Scarcely more than six months of misery elapsed between her inhuman exclusion from Douglas Castle, the hurried visit to London, the death of her youngest darling during her absence, and her own death in Edinburgh. Soon after the Duke's strange marriage to the eccentric but truly noble lady whose determined energy in the cause of truth and justice saved the House of Douglas to the rightful heir, he was heard to lament "that he had not seen his sister when she came to Douglas Castle to make him a visit; and said it was a pity she had

[1] The Countess of Wigton, Hope of Rankeillor, and various other unexceptionable witnesses, also deponed to this fact. Lord Lindores deponed that "Sholto was the picture of Lady Jane."

not as *great a spirit* as the Duchess."[1] This came ill from the ducal brother, who, after having reduced her to absolute beggary, crushed the Douglas spirit out of her breaking heart, that hereditary spirit which the Earl of Crawford declared he had vainly striven to rouse in the degenerate Duke. But the Nemesis was at hand.

The Duke of Douglas's Marriage, Remorse, and Death.

The Duke of Douglas had always given out that he meant never to marry, and on that account he was continually urging his sister to do so. Five years after accomplishing the fraternal feat of consigning her to an untimely grave, because the marriage she made ran counter to his pride and his politics, the Duke took a wife to himself, or rather, as the story goes, a wife took him. How this important event came about is wrapped in mystery, and the stories on the subject are all contradictory and apocryphal. This much, however, is certain, that his Grace's alliance was just as insignificant, by comparison with his own rank, and attended with as little of the eclat of illustrious nuptials, as was that of the sister whom he cast off because she did not marry to his taste. There is no doubt that, on the 1st of March 1758, the Duke of Douglas was married, at Douglas Castle, to Margaret, eldest daughter of James Douglas of Mains, in the county of Dumbarton. The ceremony would seem to have been as hurried and as private as that of his mean toady, James sixth Duke of Hamilton, who married the beautiful Miss

[1] Deposition of Mrs Jane Stuart, the Duchess's gentlewoman.

Gunning, "with a ring of the bed-curtain, at half an hour after twelve at night." If the Douglas marriage was not absolutely secret, it was mysteriously private; and as for settlements, there were none. How this came about is so little known that only the most absurd traditions are afloat on the subject. Singularly enough, even while these pages were passing through the press the following paragraph appeared in the "Ladies' Own Journal," of date 3d June 1871, under the head of "Glasgow Beauties":—

THE LAST DUCHESS OF DOUGLAS.—John Douglas, of Mains, had a fine mansion in the Bridgegate, Glasgow, and a daughter celebrated for her wit and beauty, which she afterwards turned to a profitable account. A Glasgow party was made up to have an excursion to Bothwell Castle, and Miss Douglas was one among the rest. On reaching the gate they were told that the Duke was at home, and a message was thereupon sent to his Grace—a man of very retired habits—requesting permission to view the castle and grounds, which was readily granted. The Duke himself received the party very politely, and not only made them welcome, but accompanied them all over the house and policies. In course of the stroll Miss Douglas chaffed and rattled away with his Grace in so lively a manner that he was quite captivated by her. When the party was about to take their leave she said to the Duke, "Please your Grace, everything here is most beautiful, and very fine indeed, but I think the place might be wonderfully improved." "How so?" said the Duke quickly. "Why," answered Miss Douglas, "just by your Grace taking a wife." This rejoinder passed off with a laugh at the time, but the Duke did not forget it. He very soon returned the visit of Miss Douglas, and, to make a long story short, ultimately offered her his hand and title, and she became Duchess of Douglas—*the last* who held the title, which is now extinct.

With all respect to the "Ladies' Own," the extremely apocryphal air of this feminine tradition is not redeemed by the fact that "the last Duchess of Douglas" was the first and the only one, that

miserable dukedom having expired with the madman in whose favour it was created. The late Charles Kirkpatrick Sharpe of Hoddam (whom Sir Walter Scott called the Horace Walpole of Scotland) delighted in another still more sensational tradition,—but one which, truth to tell, is more consistent with the Udolphic history of the ogre of Douglas Castle. *On dit*, that the young lady in question, having expended in vain a whole quiverful of Cupid's shafts, at length invaded the solitude of the ungracious and gloomy Duke, armed with a dagger, wherewith she threatened, not his life, but *her own*, on the spot, if he would not consent to marry her. Now, this was in the room (as the story goes) where the Duke himself had committed a *quasi*, or a *crazy*, murder,—the room he had once seen inundated with the life blood of a relative and friend, which had left the sign of Cain on his own brow. The idea of seeing blood flow in that chamber of horrors once again, cowed the madman into bestowing his bloody hand and black heart upon the insanely ambitious Miss Margaret Douglas of Mains!

The readers of this sad "Memorie" may choose between these two very apocryphal legends of the marriage of the first and last Duke of Douglas. Of the real story, like the needy knife-grinder, "Lord bless ye, Sir, I have none to tell ye." Let us turn, then, for what followed, to unquestionable facts.

The Duke himself intimates that the lady he married was of a brave spirit. He actually indulges in a lament that his deeply injured sister had not displayed a like spirit in her dealings with him! This, truly, was adding insult to injury; but it was the lament of a remorseful mind. There can be no doubt, however, of the Duchess's

spirit, nor of the eccentricity of her character, which displayed itself, and to good purpose, in the very first year of her marriage, and throughout the rest of her life, strangely, but nobly and disinterestedly, devoted to saving the House of Douglas.

It might naturally be supposed that this very clever and energetic lady, who, without the aid of high rank, or previous celebrity of any kind, actually accomplished the desperate adventure of marrying this dangerous Duke, would at once have bestowed all her energies upon obtaining settlements suitable to her rank, and the wealth of this great inheritance, especially in reference to the prospective issue of her own marriage. But one of the most remarkable circumstances, in the history of this strange alliance, is the fact that, from the very first, it seems to have been regarded by *both parties*, as a *fait accomplis* that the great House of Douglas was not destined ever to be represented by any heir of the body of the Duke himself.[1] During his sister's life he constantly considered,

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[1] The Duchess's favourite companion at the time of her marriage was Miss Patie Crawfurd, daughter of Mr George Crawfurd, historiographer in Glasgow. She depones that she was at the marriage in Douglas Castle, and was domesticated there from that time, and on the most familiar terms with the Duke and Duchess. Among other things, she declares that, so soon as not many weeks after the marriage, the Duchess commenced her strenuous and unceasing endeavours to persuade the Duke to do justice to his sister Lady Jane's memory, and to the presumptive heirship of her only surviving son. She depones that at the time above mentioned "she frequently heard the Duchess say to the Duke that he ought to put that boy,—meaning Lady Jane Douglas's son,—*above want;* and that the family would take it well if he would send somebody of character abroad, to inquire into the fact whether the boy was Lady Jane's son or not; and that, if he was found to be Lady Jane's son, the clan or family of Douglas would support him in it; to which the deponent heard the Duke answer several times, that, if he thought that boy his sister's son, he would not bestow or give him *a part*, but that *he would give him the whole estate.*" Manifestly the Duke never contemplated the possibility of an heir of his own body.

and indeed declared her to be the sole hope of continuing the line of Douglas through the body of his father, the late Marquis; and even while his ear was being poisoned, and his semi-insane mind utterly unsettled, by (though he never really credited the calumny) that ridiculous scandal of the supposititious children, first suggested by "*Stokie*," and many years afterwards desperately worked for the Hamilton family by most extraordinary machinations abroad,—the mind of the Duke was continually, though secretly, hankering after the twins.

But this low and venemous creature "Stokie," was not the most direct promulgator of that *impossible* lie. Major Thomas Cochrane (who soon thereafter became eighth Earl of Dundonald) disgraced the noble and gallant family of which he was the head by the most audacious of falsehoods. Relying upon the insane temper and easy belief of the Duke, he wrote him a letter, soon after his marriage, urging upon him the idea that Lord Hyndford was the proper heir to his great estates, and then disposing of his only sister Lady Jane, and her young twins, as follows:—

Your Grace may see by this that Lord Hyndford is your heir at law, and will undoubtedly succeed to all your personal estate, *failing of Lady Jane and her two fictitious children.* A discovery of this *imposition* has lately been made by the Countess of Stair. Your sister went there with the two *impostors.* So soon as they entered the room, the Countess called out,—"Lady Jane, you cannot pass these boys upon the world as twins, for one of them must be considerably older than the other." Your sister changed colour; but the Countess of Stair went up *briskly* to the children, *opened their mouths*, and discovered *by their teeth* that one of them was six months older than the other. Your sister proposes to go to London soon, and to take the boys with her. It is thought *they will die some of these days, as Lady Kinnaird's did.* I must entertain your Grace with this curious process, which has been lately before the Com-

missaries. Lady Kinnaird, having *a pique* at her husband's heir, gave it out that she was with child, and was afraid that she and her child would be in danger from the heir, so *absconded* for some time, and at her return told that she had been delivered of two sons. But the heir raised a process against her to produce the boys. Her ladyship, finding that the plot would be discovered, was glad to give it under her hand that the *children were dead!* My dearest Lord, I think it my duty to inform your Grace of everything that may turn out to your advantage; and if ever you find me vary from the truth *believe me to be a damned villain.*

(Signed) THO. COCHRAN.[1]

And so he was. The Duke, who, despite the falsifiers, high and low, who beset and surrounded him, had his lucid moments, took the first opportunity of catechising his noble correspondent on the subject of his strange letter. "Who told you that, Tom," said his Grace? "The said Thomas Cochran answered to his Grace, that it was Lady Stair that had told him so." A letter was then written to Lady Stair, by the Duke's order, to ascertain the truth. "Lady Stair wrote to the Duke that she had asked at Lady Jane what was the reason she did not come over to Scotland to bear her children. Lady Jane answered, that she was not a Princess; and besides, she was very poor, and had no money to bear the expenses of such a journey; and that she was always so intolerably sick when upon

[1] The original of this letter perished in the flames that destroyed Douglas Castle in the year 1760, very shortly before the death of the Duke of Douglas, and the consequent commencement of the Douglas Cause; but the above copy of it had been preserved, and was produced in the litigation. Moreover, the tenor of it was abundantly proved, and beyond all question. Mrs Hepburn, the Duchess's sister, deponed to the precise terms of it; and further, "depones that the said letter was *often read* by the deponent, and she often heard it read to others; that Collector Hamilton read it to the Duchess of Hamilton; that it was also read by Mr Mure of Caldwell, Mr Ross-Mackie, and several others; and it was burnt when Douglas Castle was burnt."

sea that she would run a great risk of her life if she had made that voyage. Likewise Lady Stair did, in that answer, deny that she had *ever spoke to the said Thomas Cochran upon the subject of Lady Jane or her children.*"[1]

But this is not all. A violent explosion of passion from the old Dowager-Countess of Stair took place in the Duke of Hamilton's lodgings in the Abbey, where the Duke and Duchess took up their abode not long after their marriage. The venerable Countess was absolutely beside herself with honest indignation and rage at the abominable falsehood palmed upon her by Lord Dundonald. The principal parties present at this *fracas* were Sir John Stewart of Castlemilk, Mr Dundas of Castlecary, the Countess of Stair, the Duchess of Douglas, Mrs Hepburn (the Duchess's sister), and the Duke of Douglas himself. Before they were all assembled together Lady Stair had been closeted with the Duke and Duchess in a separate room for more than an hour, and she was the first to join the party in the drawing-room. "She appeared," says Mrs Hepburn in her deposition in the great Cause, "to be in a violent passion, and said she had now lived to a great age, and had never before been brought into any *clatters*, or *lies* of that kind; and upon the Duke coming in she went up to him and said that she had never *doubted* of the *children being Lady Jane's*"; and then proceeded to expose in detail the utter falsity of Major Cochran's letter to the Duke. The most graphic description of the

[1] Deposition of Miss Patie Crawfurd.

scene, however, occurs in the deposition of Sir John Stewart of Castlemilk, as follows :—

The Countess of Stair entered the room, and was seemingly in a very great passion. She had in her hand a paper, which the deponent understood, by the conversation, to be a copy of a letter from Thomas Cochran, Esqr., now Earl of Dundonald, to the Duke of Douglas, in which the said Thomas Cochran accused Lady Jane Douglas, the Duke's sister, of introducing fictitious children into the family of Douglas, and likewise affirmed that the Countess of Stair said, that, *to her knowledge*, they were fictitious children ; at which the Countess of Stair expressed great indignation, and *denied that ever she had said any such thing ;* and in general remembers that the said Countess used some very harsh expressions in regard to the said Thomas Cochran. Depones, that soon after the Duke of Douglas entered the room the said Countess renewed the same harsh expressions about the said Thomas Cochran, and likewise *reiterated her asseverations* that she never had said Lady Jane Douglas's children were fictitious ; and the deponent particularly remembers that the said Countess *struck the floor three times with a staff* which she had in her hand, and *each time that she so struck the floor* she said that the above mentioned Thomas Cochran *was* "a damned villain," which her ladyship said was his *own expression*, in his letter to the Duke.[1]

The Nemesis of his injured sister, and of the glory of his falling house, now crushed "all that was Douglas" in this miserable Duke. Remorse from this time was his daily and nightly portion until he sunk into a dishonoured grave. There is one document of a most interesting character, which, if recovered—and let us hope that the Royal Commission, now busy groping for truth in private and family archives, after the history of Scotland has become rank with

[1] This Lady Stair (the widow of the great Field-Marshal) was Lady Eleanor Campbell, 4th daughter of James second Earl of Loudon. She died 21st November 1759, before the Duke of Douglas, and thus her testimony also was lost to the young Douglas.

lies and calumnies, may discover it—would certainly cast the fullest and truthfullest light upon a story that beggars romance, and which the tessellated pavement of proof I have been able to bring together on the subject still leaves unravelled in some important particulars. The Duchess of Douglas's sister, Mrs Hepburn, in her deposition already referred to, tells the following story, which she gives dramatically:—

Depones that William Loch, writer in Edinburgh, did sometimes visit the Duke of Douglas during his Grace's residence at the Abbey, after his marriage. Depones that Mr Loch brought or sent to the Duke of Douglas at the Abbey a writing, wrote, as *the Duke* and Mr Loch said, by *Lady Jane's own hand*, containing an account of her life for several years *antecedent* to her marriage; which paper was *read by the Duke*, Lord Shewalton, and several others. That the Duke having thereafter sent for Mr Loch, and inquired if he had any of the letters referred to in the said writing, asked Mr Loch many questions about Lady Jane and the children.[1] That Mr Loch thereupon told the Duke the distress Lady Jane had been in at the death of Sholto, and the *distress and poverty* she was in at her own death, and the neglect she had met with from her friends. That the deponent *was present* at all the conversations betwixt the Duke and Mr Loch. That after Mr Loch went away the Duke told the deponent that he would sleep none all night, as the account of his sister's distress had affected him so much; adding that he saw, from the reading of that paper, that she had certainly been the *most injured woman in the world*. That he further said that all Lady Jane had suffered in her lifetime did not affect him so much as what she suffered at her death. And he *pressed his breast with his hand*, repeating some of the expressions Mr Loch had used to him; and said, that his sister had not only been neglected before her death, but after it. That the Duke, at this time, appeared to be much affected, *and even cried*, expressing his regret for the neglect that he himself had shewn to Lady Jane. Depones that this conversation happened while the Duke lived at the Abbey, soon after his arrival there, and *before the separation betwixt him and the Duchess.*

[1] Mrs Hepburn also depones that the paper in Lady Jane's own hand was returned to Mr Loch, and no copy taken.

The separation between the Duke and Duchess here referred to affords one of the most striking illustrations of the still violent temper and unsettled mind of the Duke, and no less so of the Duchess's want of discretion, and imperious bearing, in the midst of all her disinterested exertions in favour of the young heir of the house of Douglas. Even when the mind of the poor Duke had become completely disabused of the frightful calumnies against the sister whom he had sacrificed, the triumphant Duchess ruled and reined him, or rather egged him on, so keenly in this good work, that once more, but for the last time, that madlike passion seized him which in former days had stained his hand with the blood of a kinsman, and still left him an unpardoned criminal, at the will of his Sovereign. Upon this occasion, however, the passion of the fallen Duke, which doubtless had been worked upon by the myrmidons of the Hamilton faction, only expressed itself in flight. From his present residence in the Hamilton apartments at the Abbey, he rushed to Newbattle, the seat of his cousin the Marquis of Lothian, in a violent rage, as if for protection and shelter against the peremptory interference of the eccentric but well-intentioned Duchess. This *fracas* occurred in the month of March 1759, precisely one twelvemonth from the date of their marriage. They appear to have been both as mad as March hares, upon both occasions. *Nemesis* again! The ducal ogre who had driven his only sister from the door of their father's halls in 1753, was, in 1759, himself driven out of his own dwelling in the Abbey by his Duchess, to whom he had been married exactly one twelvemonth! The particulars of what happened at Newbattle are a

mystery. This episodical quarrel is only seen very darkly through the endless wilderness of law papers, depositions, and exhibits, engendered by the great Douglas Cause. It would appear that the Duchess had followed her fugitive lord to Newbattle, where some violent scene or scenes had occurred, of which we obtain only a general, and it is to be hoped an exaggerated idea, in a letter to the Duchess from Sir John Stewart of Grandtully (the relict of Lady Jane), written at the very time when the affair occurred.[1] But the storm which, according to Grandtully's letter, quoted below, must have been tremendous while it lasted, entirely subsided in the short space of three months, at the end of which time the Duke and Duchess became fast friends, and both entirely

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[1] Immediately after the Duke's *Hegira*, Sir John Stewart of Grandtully, the father of the young Douglas, thus wrote to the Duchess, of date 8th March 1759 :—

"May it please your Grace, that I presume to offer my humble compliments of condolence on the unhappy turn affairs have taken lately in your family. It gives great concern to every one has a heart, but must be infinitely more afflicting to me, as there is too much reason for my fearing that the generous warm interest your Grace was pleased to express in regard to justice, and my Lady Jane Douglas her *honour*, and that of her *only remains*, may in a great measure have given a handle to your Grace's enemies to bring about this *deplorable misunderstanding;* which I am hopeful will soon be brought to rights when my Lord Duke comes to think coolly on the step he has been hurried into by designing false friends about him. My Lady Duchess, the *inhuman barbarous treatment at Newbattle*, though very hard to bear in the time, will, I am convinced, when the Duke of Douglas comes to the knowledge of it, be the first step to shew the *monsters*, who were capable of ordering and acting in that *shocking scene*, in their proper colours, and inflame his generous breast with proper resentment. As a lady is ever deemed under protection of her husband, an *indignity* offered to your Grace is directly done to his Grace. If the sympathy of all who think right can alleviate the present distress your Grace labours under, that, and the justice of your cause, afford consolation ; which that your Grace may find, with a full triumph over your *villanous enemies*, is the sincere wish and earnest prayer of he (*sic*) who is, with profound respect of your Grace, the much obliged, most obedient, and most humble servant, Jo. STEWART."—(*Proofs and Exhibits in the Douglas Cause.*)

devoted to redeem the memory of poor Lady Jane from the vilest of scandals, and to save the right of her great name and inheritance to her only son.

It may well be assumed that no one member of that noble and most amiable family, the Lothian Kerrs, had been present at Newbattle when any scene had occurred that could possibly have justified such a letter as that quoted in the note to the preceding page, from Sir John Stewart to the Duchess of Douglas. Lord Charles and Lord Mark, the Duke's uncles, were in their graves. The Marquis, who was his cousin-german, though mortally offended (like Lord Mark) by Lady Jane's wild mode of breaking away from the Earl of Dalkeith, and predisposed to the Hamilton succession which the Duke's existing settlements had arranged in favour of that family, would not have suffered any rudeness, far less insult or outrage, to have been perpetrated at Newbattle against the Duchess of Douglas, however much he disliked that eccentric alliance; neither would his son, the chivalrous Ancrum, who at this time was abroad on foreign service with the Duke of Marlborough. Lady Charles and her daughters were devoted to poor Lady Jane throughout all her sorrows, to the very end, when they hurried to the side of her deathbed, to look on the lifeless shadow of what was once the beautiful and graceful Lady Jane Douglas.[1] So were Lady Mary, the Marquis's sister, and her

[1] Lady Janc was reduced to a perfect skeleton, from distress of mind, between the time of her being refused admittance to see her brother, to that of her own death a few months after. Yet that took her few devoted relatives somewhat unawares, owing to her dislike to confine

excellent husband, the Laird of Innerwick. Not one of that noble, kindly, and Christian family, can be named, who for a moment would have tolerated an insult, or even a rude inhospitality, to a lady at Newbattle, not to speak of the Duchess of Douglas. *Noblesse oblige.* The Marquis most probably was at that time attending Parliament in London. The Marchioness herself would be at Mount Teviot, her favourite residence, where she generally was at that season. This terrible scene (as characterised by Sir John Stewart to the Duchess herself) occurred just seven months before

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herself to bed, or to alter her usual habits. We have seen that her kind and sympathetic friend, Mr Douglas of Edrington actually dined *tête-à-tête* with her (see p. 72) the very evening before her death, and she did not undress and go to bed until late that night. The deposition of *Janet Andrew*, who had been servant to her mother, the Marchioness, and to Lady Jane herself in 1733, and again entered Lady Jane's service when she returned from abroad in 1752, is minute and most affecting. "*Depones*, that Lady Jane, till within a day or two of her death, was dressed in the same manner she used to be when in health, although very weakly, sick, and thought a dying: that Lady Jane took the Sacrament in the New Greyfriars' Church about eleven days before her death, and, after this, never went abroad: that every night, for some time preceding her death, Lady Jane took leave of her son Archibald, after taking the Sacrament, in a very affectionate manner, and as a dying woman; and that for many nights before her death she was so ill that she did not expect to see the morning: that Lady Jane died about 11 o'clock of the forenoon of the 22d day of November (1753); and, so far as the deponent knows, she did not speak any that day; though she had often occasion to be coming and going to her room she never heard her speak: that Mrs Glas (Tibby Walker) lay upon a shake-down in the room with Lady Jane the night preceding her death: that Mrs Hewit came into the room between 8 and 9 o'clock next morning, to inquire after Lady Jane; upon which Isabel Walker said, she had spoke none that night, and that the deponent heard this though she was not then in the room: that upon this Mrs Hewit opened the curtains, upon which Lady Jane gave a groan, as Mrs Hewit informed the deponent, and she heard Mrs Hewit say that *Lady Jane was gone:* that, upon this, *Lady Charles Carre and her daughters*, and Professor Robert Hamilton, were sent for: that the night preceding Lady Jane's death, that is to say between 11 and 12 at night, after she was in bed, she *pressed Mrs Hewit to take her supper*, and said, if she would not take it she would rise again, and that upon this the deponent thought she was raving: that Lady Jane never during her last illness kept her bed in the day time; and that even the night before her death she did not go to bed till between 10 and 11 o'clock."

the death of this Marchioness, a most estimable lady, whose heart was overflowing with every kindly and Christian feeling.[1] But a mean and mercenary strain was at that time tainting the great house of Hamilton in reference to the Douglas succession; and doubtless some myrmidons of that faction had temporary possession of the ever well conditioned mansion of Newbattle, when the violent Duke rushed there, as if for protection against that very "spirit" of his right-minded Duchess, which he himself lamented had not been roused in his sister against his own tyrannical oppression. Indeed what immediately followed would seem fully to justify this theory. Sir Thomas Miller of Glenlee (afterwards Lord President), pleading as counsel for the Selkirk branch of the Hamilton scramble for the Douglas wealth, thus gives his own version of the conduct of the Duchess :—

> Very soon after the marriage the Duchess gave occasion to a separation, and *obliged* the Duke to leave his own house, and they continued in that state for several months. The cause of this separation is notoriously known, and is fully proved by a document under their own hands. It was her officious interposal in behalf of Mr Stewart, the son of Lady Jean Douglas, and her attempts to procure an alteration of the Duke's settlements, in his favour, conducted with so much *violence* upon her part, in opposition to the Duke's own determined will, as drove him at last to the necessity of leaving his own house with a resolution never to cohabit with her any more.

The final issue, however, does not quite justify Lord Selkirk's counsel, in his severe commentary upon the spirited and disinte-

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[1] See before, p. 26, her letter to the Laird of Innerwick, whom she addresses as her brother. And see the Marquis's letter of condolence to Innerwick, on the death of his first-born, p. 6.

rested conduct of the Duchess. It seems that this strange couple, "by the interposition of friends, were again reconciled, and came together upon the 6th of August 1759, under articles of marriage signed by both parties." The terms of these articles indicate that the "friends" who interposed were entirely of the Hamilton faction. They are peremptory to insolence against the Duchess. Decent settlements were provided in her favour; but this unwarrantable *condition*, which she was compelled to sign, was added,—"That the Duchess shall not, on *any account whatever*, meddle, *directly or indirectly*, with any of the Duke's settlements or estates, or any of his factors or managers,"—which of course meant "Stokie," and Archibald Stewart.

But the indomitable Duchess was not to be driven from the good work she had undertaken. Just five months after this new arrangement, the Duke, under the influence of his now harrowing remorse, aided, doubtless, by a salutary curtain (or curtain-ring) lecture, not only cancelled all the deeds of settlement then standing in favour of the Hamilton family, but, by a writing subscribed by himself upon the latest of them, he "declares it to be his will that the within deed should be of no effect, and that he revoked and had cancelled the same." And then, immediately before his death, he removed every obstacle he had reared against the legal succession of his deceased sister, and appointed tutors to young Archibald Stewart, including the Duchess, expressly as Lady Jane's only son.

The avenger, however, was not yet satisfied. About the very time when this conclusion, so devoutly to be wished for, was being accomplished, the fine old historic Castle of Douglas, type of the

antiquity and power of that great but now falling race, succumbed for ever to the wrath of the Fire King, and in the course of a few hours became a huge blackened heap of smouldering ruins, a hecatomb to the spirit of the saintcd lady who a few years before had been driven, by a cruel brother, with her twin children, from the gate of their own ancestral halls, which thus fell never to rise again.

Let us hope that the poor Duke's death was such as to atone for his life; and that the spirit of his injured sister hovered over, and soothed his dying agonies. But scarcely can he be said to have departed in peace. During his last illness he was constantly attended by Mrs Hepburn, the Duchess's sister, to whom chiefly he confessed, and exhibited the throes of his bitter remorse. That kindly and warm-hearted lady, in her long and most interesting deposition, thus tells the sad story:

Depones, that during the Duke of Douglas's last illness, which continued about forty or forty-two days, the deponent was almost constantly with him, both in the night-time and by day; that during this period the deponent heard the Duke speak of Lady Jane, and regret the difficulties she was reduced to at the end of her life, and pray that *God might forgive him for what he had done to her;* and that God might forgive *Lord Dundonald* and *Mr Archibald Stuart*, for that they, and *Stockbriggs*, were the cause of his neglecting his sister, and that if he had done injustice to *her*, he had done ample justice to her son, for that he had given him his whole estate.

The same account of this wretched nobleman's dying remorse is given by Mrs Jane Stuart, gentlewoman to the Duchess, who

Depones, that at this time, as well as others, the Duke, who was extremely ill, and drawing his breath like a person dying, very much regretted his sister, and said, she had been ill used by himself, and prayed that God Almighty

might forgive him, and might also forgive those who had been the instruments of doing so.

He was torn by a long succession of fits, in one of which he died. An inward obstruction, too, was added to his agonies, bodily and mental; for the last desperate resource of pouring quicksilver down his throat was tried,—and tried in vain. He died in Queensberry House, Edinburgh, 21st July 1761.

The Duchess survived him for thirteen years, dying at Bothwell Castle 24th October 1774. In 1773 Dr Johnson dined in company with her at Boswell's house in Edinburgh, and, in one of his letters, describes her, upon that occasion, as "an old lady, who talks broad Scotch with a paralytic voice, and is scarce understood by her own countrymen." Of an earlier date, and during the progress of the great Douglas Cause, in which the Duchess still exerted all her honest energies, both at home and abroad, in favour of the rightful heir, she is curiously *anecdoted* by Horace Walpole. In a letter to his cousin General Conway, September 12, 1765, that glorious gossip of the upper ten thousand thus writes:—"The Duchess of Douglas,—for English are generally the most extraordinary persons that we meet with even out of England,—left Amiens before me, on her way home. You will not guess what she carries with her? Oh, nothing that will hurt our manufactures, nor what Lord Grenville himself would seize. One of her servants died at Paris. She had him embalmed, and *the body is tied before her chaise!* A droll way of being chief mourner."

Sic transit gloria mundi.

The Merry House of Newfield.

Having recorded, what is recorded nowhere else, something like a connected story—"a tale, alas! too true"—of the unhappy life, and sad death, of the beautiful and charming Lady Jane Douglas Stewart, and of the ogre Duke her brother (with both of whom my mother's paternal grandfather and grandmother had so much to do), I now return to the old worsted-work pocket-book, or rather letter-case, in which there still remain some suggestive scraps of domestic history, to be woven into this "Memorie." These chiefly relate to my mother's father, Archibald Hamilton, fourth son of Innerwick and Lady Mary. We left this young officer in America, severely wounded in the disastrous expedition under General Braddock. When, as already narrated, that brave but inefficient commander fell mortally wounded, a host of his chivalrous young captains and subalterns, who had rallied round him in the last extremity, fell with him. This was in the month of January 1755. My grandfather, however, having recovered from his wounds, had returned to Scotland sometime before the autumn of 1761, when we discover him,—now made heroic by his repeated wounds in two of the bloodiest battles of the day, fought in different quarters of the globe,—enjoying the society of his young cousins of the Lothian family, whose name was legion.

Lord Charles Kerr was the second son of Robert fourth Earl and first Marquis of Lothian, and Lady Jean Campbell, a daughter of the notorious Marquis of Argyle. Lord Charles married Janet, eldest daughter of Sir David Murray of Stanhope, and Lady Anne

Bruce, a daughter of the second Earl of Kincardine, by whom he had a very numerous issue. He and his more celebrated brother, General Lord Mark Kerr, were great-uncles of my mother's father, who was on the most social habits of intimacy with Lord Charles's fine family of seven sons and seven daughters, and also with his grandchildren of the merry house of Newfield. Of Lord Charles's own daughters, the eldest, *Jean Janet*, was married, 1st October 1760, to her cousin-german, William third Marquis of Lothian (Lady Mary Hamilton's brother), one twelvemonth after the lamented death of his first spouse, with whom we have already made sufficient acquaintance to enable us to judge of her amiable and Christian character. The Marquis was right to choose a bird out of the same family nest. For *Jean Janet Kerr*, his second Marchioness (of whom more in the sequel), was as amiable as her predecessor, and, although she bore him no second family, proved a most faithful and affectionate wife, surviving the Marquis for twenty years. Another of Lord Charles's daughters, *Elizabeth*, commonly called "Betty Kerr," was a constant companion of this Marquis's first wife, though not destined to fill her place.[1] Of this excellent lady, who was as a second mother to my mother in her youth, I shall also have more to say afterwards.

The eldest of Lord Charles Kerr's seven sons was Robert Kerr of Newfield. Lord Charles himself died in 1735, before his poor niece Lady Jane's miseries commenced, with which Lady Charles and her daughters sympathised so deeply to the end. He had held

[1] See her mentioned before, p. 28.

the office of Director of Chancery in conjunction with his eldest son, Robert of Newfield, the appointment having been granted for their joint lives. Amongst the merriest of the many hospitable and well connected lairds' houses in Scotland, about the middle of the last century, was the house of Newfield, in Ayrshire. The two following letters, of which unfortunately the envelopes have been lost, afford a delightful glimpse of the interior. They are from *Kate Kerr*, the second of four then unmarried daughters of that house. The eldest son, Mark Kerr (who died in 1791 without issue), was at this time a young captain in the 9th Dragoons. The first in date of these two letters, there can be no doubt, had been addressed to my mother's father. I have thought it best not to modernize the young lady's orthography, which is quaint without being perplexing, and much more readable than that of her cousin, the Marquis of Lothian.

Dear Cousin,—I had the pleasure of yours this day; was very glad to hear you got safe into town, and found all your friends well.

The first two days after you left this we was quite by ourselves; but ever siuce we have had a great deal of company, and *a fine dance*. We all regrated you were not a partaker of it. I was very much oblig'd to you for delivering my letters. I have got them all answered but Miss Molly Cranston's. Molly Hay says her only reason for not answering your card was that she had (once in her life) got such a fright by writting to a gentleman, she was afraid ever to doe it to another; and asked me whither I thought she did right or not. The first time you see Captain Agnew be so good as to return all our compliments. *Douglas*[1] says she does not belive she has made the smalest impression on Cap-

[1] "Douglas," here mentioned, was the third daughter of Robert Kerr of Newfield and Eleonora Nugent, and was named *Jane Douglas* after her illustrious and unfortunate cousin. She was married, 31st March 1775, to Dugald Campbell of Carradale.

tain Agnew's heart; and *Elly*[1] desires me to tell you she was much the better of the sound sleep she got that morning you left this, but *much the worse of not seeing you.* You say Mr Garland enquir'd, in a perticular mener, after me; but my opinion of that is, that it was *a flight of your own*, as you thought it would make me very happy to be remembred by a gentleman that is so high in my esteem. The only news in this country is Mrs Fullorton's marriage. Some says she is married; others says she has refused Mr Hope,[2] and is to take Sir Alexander Dick.[3] You are very good in saying you was well entertained. I'm sure I did not think so. All this family joins in respectfull compliments to you, Mr Hamilton, and Lady Mary, Mr and Mrs Hay.[4] I wish you a good journey to London, and good devertion; and belive me to be, dear cousin, your affectionate cousin, KATHARINE KERR.

Newfield, September 5th, 1761.

The next letter from this cheery, and no doubt charming, Kate—most Kates are so, throughout all history, from her who charmed

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[1] "Elly" refers to Eleonora Kerr, Newfield's youngest daughter. She was married, 9th March 1768, to Walter Campbell of Shawfield. Her eldest son, John Campbell younger of Shawfield, married Lady Charlotte Campbell, daughter of John fifth Duke of Argyle, a celebrated beauty. Of all Newfield's four daughters, "Elly,"—who had *slept in* (probably after "a fine dance" the night before) on the morning of the young officer her cousin's departure,—was the one from whom descended the line most distinguished for beauty and rank. Her fourth daughter, Margaret, married Francis sixth Earl of Wemyss, and had ten children.

[2] "Mr Hope," here mentioned, was an important personage. He was the second son of John second Earl of Hopetoun, but with every prospect, at the date of the above letter, of becoming James third Earl of Hopetoun, which eventually he did. His elder brother, Charles Lord Hope, sickly from his youth, was prescribed a voyage to the West Indies, to attempt the recovery of his health, but died on his return, 6th June 1766, in his twenty-sixth year, and unmarried. Mr Hope, who had been considered in society the probable heir to the Hopetoun title and estates, succeeded accordingly. But he did not take a wife until 16th August 1766, the second month after his brother's death, when he married Lady Elizabeth Carnegie, eldest daughter of George sixth Earl of Northesk.

[3] Sir Alexander Dick of Priestfield, or Prestonfield, near Edinburgh.

[4] The only daughter of Mr Hamilton of Innerwick and Lady Mary Kerr, named Jean Douglas, after poor Lady Jane, her god-mother, was by this time married to Alexander Hay of Mordington, an old brauch of the Yester family. See before, Lady Jane's affectionate mention of her as "my dear Miss Dougy Hamilton," in a letter to Lady Mary, p. 72.

[A Postscript to the foregoing "Memorie" of the first and last Duke of Douglas.]

The Skeleton in the Closet discovered.

The recent discovery of an important document, alluded to in a former page, renders it necessary to interpolate in this place a postscript to the foregoing sad and strange story of the life and death of the Duke of Douglas, which has never hitherto been recorded in any history, public or domestic. The hint afforded in one of Mr Riddell's manuscript notes to his copy of Wood's edition of Douglas's Peerage of Scotland[1] induced me to trouble the present Marquis of Lothian with inquiries as to the existence of such a document, and his Lordship was kind enough to institute a search. The following interesting communications from him, in reply to my inquiries, contain the result :—

Newbattle, March 26, 1872.

My dear Mr Napier,—I send you some information regarding two of the points you ask me about. I hope some of it may be new to you. I have not yet had time to make a search for Lord John Kerr's letter. I remarked what you call my attention to, about the place where Lord John's letter was seen, but as all the chests and documents were moved, and looked into, some years ago, I fear that no single letter is likely to be now found where it was previously.

Touching Mr Kerr, first cousin of the Duke of Douglas (illegitimate), he lived apparently with the Duke, and seemed to be a great favourite. There are two stories of the catastrophe. One is, that he was attached to Lady Jane, and wanted to marry her; and the Duke, incensed at the presumption, picked a quarrel with him, and ran him through the body with his sword. The other

[1] See before, p. 60.

story is, that the Duke's factor, who ruled his master, and everything,[1] filled the Duke's head with all kinds of lies about him, and at last worked him up to commit the murder. Whichever story may be true (perhaps the two together make the truth), the man was murdered in Douglas Castle, and the body was buried in the family vault at St Bride's.

The Duke of Douglas after the murder was advised to go abroad, and abroad he went. After a decent time, the Government got some one to say, that, if he would beg pardon, and promise *not to do so no more*, he would be allowed to come home. His Grace replied,—"I have often heard of the Crown asking favours of the Douglas, never of the Douglas asking favours of the Crown." And sure enough the Duke came back without asking any pardon. The only compunction he shewed was to leave directions that his body should not be placed in the same vault with that of his victim, but in a new one. His body reposed for twenty years in what is now the bake-house at Douglas Castle, and then was put into the unconsecrated vault under the kirk.

Respecting the duel you ask about, which was anything but "bloody," I believe that Francis Duke of Buccleuch was challenged, and fought a duel behind Montagu House (British Museum), the fashionable place of meeting, with the Duke of Douglas. The said Francis wooed and won Lady Jane Douglas, the Duke's sister, and the marriage was settled. He, however, thought that *another* Lady Jane Douglas, daughter of the second Duke of Queensberry, would be a surer prize, and determined to be off. He went to his first love, and told her that such was his wish. The lady, whose fate was not a happy one through life, but by all accounts a most amiable, high-spirited woman, told the faithless one,—"Give yourself no trouble; I will save you all of it, and put an end to the match myself;" and the line she took was to escape from her father's, or rather from her mother's (the Marchioness of Douglas) house, and shelter herself in a convent in Belgium. The Duke, her brother, challenged Francis Earl of Dalkeith for this insult in jilting his sister. It is singular that if this Francis had married the first Lady Jane, the Duke of Buccleuch would now be in possession of the Douglas estates, instead of the Queensberry estates.

Lord Lothian, after repeated and extensive researches among his family documents, under his own direction, for the original letter

[1] The rascal whom the poor Duke familiarly called "*Stokie*." See before, p. 75.

referred to by Mr Riddell, as having been seen by himself "in a box in the Lothian charter-chest, containing the patents of honour," but without success, at last discovered an authentic copy of the same, which not improbably was all that had met the eye of Mr Riddell. This was kindly communicated to me by the Marquis, in the following letter :—

My dear Mr Napier,—A few minutes ago, in looking over some copies of letters, which (the copies) are in possession of my uncle, Lord Henry Kerr, I came across a copy of the letter from Lord John Kerr about which you have so frequently written to me.

These copies were made in the time of my grandfather, and consist of various family letters of interest.

The copy may be considered as authentic ; and I lose no time in sending it to you, in the hopes that it may not be too late for your purpose.—Yours very sincerely, Lothian.

[*Letter from Lord John Kerr enclosed.*]

Lows, May 29, 1725.

Madam,—I had the most sad account yesterday, by Mr Kennedy,[1] that my dear son was murdered by the Duke of Douglas. His account is confused ; so I depend, dear Madam, of a full account of it from you. It is a great shock to me indeed, and fully as much as I can bear. I know the Duke loved him entirely, so certainly has done it in his height of madness. I pity the poor unfortunate Duke, and all his family ; for I am sure, if ever the Duke come to his seuses again, he'll never forgive himself. But I do ; and prays God Almighty may forgive him out of his infinite mercy. This is the saddest occasion of a

[1] In quoting Mr Riddell's manuscript note (p. 60) I had misread *Kennedy* to be *Saunders*. In referring to the MS. note again, however, I find it is there written Kennedy, as in the letter in the text. Unfortunately Mr Riddell's valuable *notanda* on the margins of the genealogical works he was consulting are all so hastily written as to be almost illegible.

letter I ever wrote in all my life. I can never again have such a dismal subject to write of. Pray, Madam, excuse my confusion. *Adieu.*[1]

(*Mem.*—There is no signature to the letter, and no notice of the name of the lady to whom it was addressed. L.)

The lady to whom this sad letter was written, and the Mr Kennedy therein named, probably were the chief domestics in Douglas Castle at the time, belonging to the establishment of the Duke. Doubtless,—it is to be hoped so at least,—his mother, the Marchioness, and his sister Lady Jane, were not in Douglas Castle when this frightful carnage occurred there. They generally lived together in apartments in Holyrood House, where the Marchioness was buried eleven years after this sad tragedy. That he had very insane moments, and was generally weak-minded, there can be no doubt. But that he had very lucid, and even kindly, intervals, witness those four letters, which now for the first time see the light of day, from my mother's repositories, addressed to her grandfather, Hamilton of Innerwick. And thus for ever passed away in blood, and shame, and sorrow, a great dukedom, which in worthier hands might have founded the most princely one in Scotland!

> "No longer seek his *madness* to disclose,
> Nor drag his frailties from their dread abode;
> There they alike in trembling hope repose,
> The bosom of his father and his God."

[1] Lord John Kerr, third son of Robert fourth Earl of Lothian, and my mother's great-uncle, only survived three years after this tragedy, which doubtless shortened his life. He is thus recorded in Wood's edition of Douglas:—"Lord John Kerr, baptised at Newbottle 1st April 1673, an officer in the army, in which he served with reputation and honour; had command of the 31st Regiment of Foot conferred on him 8th September 1715, and retained it till his death. He was buried at Kensington 14th August 1728, in his 55th year, unmarried."

the fiery temper of Hotspur, to the no less charming Kate who dwelt by the Lakes of Killarney—is dated about the merry time of Christmas, from Newfield, where more than one "fine dance" would be towards, between that and the new year 1762. The envelope of this letter, too, has not been preserved, and the address is lost. But from the context it appears to have been written to Mrs Hay of Mordington, mentioned in the previous letter and note, as the only daughter of Innerwick and Lady Mary, erst the pet of poor Lady Jane Douglas, and who refers to her so affectionately as "*Dougy.*" It would seem that she had made an excursion to Edinburgh[1] to visit her parents (Lady Mary being in very precarious health), leaving Mr Hay at Newfield, but under a promise to return to the Christmas party there, which doubtless would be a very merry one.

Dear Cousin,—Mama has her kind compliments to you; hopes you got safe into Edinburgh, and nothing the worse of your jant to this eountray. She desir'd me to incloase a letter from Mr Campbell, which she begs you will be so good as to give to Gaven Hamilton. She would not have given you this trouble, but did not know how to dereet for him. *Your husband* has his love to you, and has been quite ineonsolable since you left him; and nothing can remove his malody but your return, which he hopes will be at the appointed time; for, he says, ever sinee you waint away, every minuet has seem'd an hour, and every hour a day. Captain Dougall begs to know if he has win his sixpence; will be glad of it, upon condition you are not hurt. If you are, Doctor Campbell says if you will put yourself under his protection he will take a friendly care of you, and Doctor M'Kerrell will be his assistent. Remimber we

[1] The Postmaster-General and Lady Mary had a dwelling in Edinburgh, the locality of which is described by Lady Jane Douglas Stewart, in a letter to Andrew Fletcher, Lord Milton, as being "in Don's Close, at the Earl of Stair's head, near the Parliament House."—*Grandtully Papers.*

all expect you will mind your promise, and be at Newfield, at Christenmess, and bring Captain Agnew along with you. All this family joins in respectfull compliments to you, Mr Hamilton, and Lady Mary; and belive me to be, dear cousin, your most humble servant, KATH. KERR.[1]

Newfield, December 3d, 1761.

The next notice of my mother's father, which I find in her old letter-case, giving us some notion of his occupations and whereabouts, is in a very fiery epistle to him, unfortunately without a date, from a friend of the name of Roderick Mackenzie, who appears to have been joined with him on the recruiting service in Edinburgh. Doubtless they were beating up for recruits for the American war, in the hey-day of British excitement and folly against the sorely tried colonists. The writer of the following letter, which is too characteristic to be omitted, appears to have entertained a supreme contempt for the magisterial tribunals and authorities of "Auld Reekie," which he expresses in a manner as lofty and fierce as if he had been "Mackenzie, high chief of Kintail."

DEAR BALDY,[2]—Mr Bush, Mr Armstrong, and Mr Rice, three persons who call themselves Justices of the Peace, having met yesterday in this town upon some dirty business of their own, sent me a sort of letter desiring me to send before them one "*James M'Herron, who was confined in my guard-house upon a supposed enlistment by your party, contrary to law, that judgment might pass upon the merits of the case,*"[3] before that worshipful quorum. The bearer of the letter did not stay for an answer, but I sent the following answer by my sergeant,—"That I knew nothing of the enlistment, and that you and your

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[1] Katherine Kerr was married, 20th May 1765, to Mr James Ritchie, merchant in Glasgow; it is to be hoped a good marriage for her. She died at Craigton, 24th September 1783.

[2] Archibald. [3] The passage in italics is interlined in the original.

party were out of town, but that I supposed him a recruit, because I had a *written crime* against him by an officer, which was a sufficient reason for my keeping him in the guard." They then desired to have him brought before them, to examine him; to which I answered,—that could serve no purpose, as they could not judge without hearing both parties,—but did not refuse to produce him. They then sent for me to wait upon their worships, but I sent them back word that I had no business with them; therefore, if they wanted to speak with me, they would find me at my lodgings.

All this passed by verbal messages, by my sergeant. I heard no more from them, but the Sheriff informs me he has their worships' orders to serve me with a writ (for false imprisonment, I suppose). You know best what authority *you* had to confine him, and I know *yours* is sufficient for me.

In the meantime I thought it necessary to acquaint you how these rascally fellows endeavour to thwart the recruiting service, that you may take the proper method of preventing their intention to trouble you or me, and disappoint these dunghill earthworms, who disgrace the Commission of the Peace, and whose knowledge and delight consist in no more than being able to be troublesome, like other vermin that infest this country. Don't shew this last paragraph to a lawyer. I am, dear Archy, yours, Rod. Mackenzie.

"Dear Baldy," who appears to have been a great favourite with everybody, was about this time promoted to the command of a company of foot in His Majesty's service. Not long afterwards he was sent to join the royal forces in America, where, as we shall presently find, he became conspicuously distinguished as a military royalist, until the disastrous war with the colonists was brought to a close, which proved ruinous to my grandfather's fortune, however honourably triumphant for them. The following notice of him, among these desultory remnants of family history, undated as usual, serves to indicate those sporting habits which adhered to him throughout a long and chequered life of active service. It is a note written, by order of his uncle, William third Marquis of Lothian

(doubtless in London at the time), in the hand of his head groom, or master of horse, and addressed on the back to "Captain Archibald Hamilton." Probably this was while recruiting in Scotland for the war in America, where he had not long since been severely wounded, and where his future military career, and all his means, were destined to be expended. The document is nearly destroyed by damp, but had been thought worthy of preservation by the young sportsman.

The Marquis of Lothian's compliments to Captain Hamilton. If convenient for the captain to be at Newbattle by eight o'clock to-morrow morning, to go a hunting, my lord's groom has orders to attend him; and if the captain pleases to rid [*sic in original*] a chace [upon my] lord's little bay mare, the Marquis will be glad to have [Captain Hamilton's judgment upon its][1] way of [m]oving.

Cha[rles] * * * ?

The next document, culled from this venerable repertory, may be said to be drawn a prize, for it is both fully dated, and quite entire. It is a hospitable note of invitation, written with all the stately politeness of the old school, from John second Earl of Hopetoun, to my mother's father, who appears at the time to have been in company with his cousins Lord and Lady Newbattle. The letter is dated from Moffat House, a well-known possession of the Hopetoun family in Annandale, which eventually became the property of the present Hope Johnstone of Annandale, through his mother, the late Lady Anne Johnstone Hope, eldest daughter of James third Earl of Hopetoun.

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[1] Here about half a line of the note is completely destroyed: what I have supplied is plausible, but purely conjectural.

Moffat, 18th September 1764.

Lord Hopetoun's compliments to Captain Hamilton, and begs he will do him the honour to dine with him to-morrow. He is just told that Lord and Lady Newbattle are in town, and if so, Lady Hopetoun [1] and he will pay their respects to them to-morrow, being afraid it might be troublesome this evening, and will ask the honour of their company to dinner. Mr Hope [2] desires to add his compliments to Lord and Lady Newbattle,[3] and Captain Hamilton.

[*Addressed on the back*]—To Capt. Hamilton.

About ten months prior to the date of the above stately missive to Captain Hamilton, the Laird of Innerwick (of whom he was the third son in life) had been gathered to all his fathers; and his spouse, Lady Mary Kerr, who, as her aunt the Countess of Morray once wrote to her, was "so deservedly fond of him," only survived her husband a few years. The date of Mr Hamilton's death, which proved disastrous to the standing of the ancient house of which he was the honoured head, I have only been enabled to

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[1] The Lady Hopetoun of this date was Lord Hopetoun's second wife, Jean Oliphant, a daughter of Oliphant of Rossie.

[2] This Mr Hope was Lord Hopetoun's second son by his first wife, Lady Anne Ogilvy, a daughter of the Earl of Findlater and Seafield. Charles, the eldest son of this marriage, was abroad for his health, but died on his way home, and Mr Hope eventually succeeded to the earldom. See before, p. 124, and note.

[3] This Lord Newbattle was the only son of Lord Ancram, eldest son of William third Marquis of Lothian, which Marquis was at this time still alive; hence his heir-apparent's only son held the title of Lord Newbattle. Eventually he succeeded as fifth Marquis of Lothian. Of his father, Lord Ancram (who was cousin-german to my mother's father), see before, p. 36, and note; and p. 43, letter from him to his cousin. Lady Newbattle brought Irish blood into the family. She was Elizabeth, only daughter of Chichester Fortescue of Dromisken, in the county of Louth, by Elizabeth, daughter of Richard Lord Mornington. They were married in Ireland, 9th June 1763. Not long before, however, Lord Newbattle was on the point of being married to the most celebrated beauty of the day, Lady Sarah Lennox, the cause of which marriage falling through will form the subject of a subsequent page of this "Memorie."

discover from that valuable repertory of domestic as well as public affairs, the old Scots Magazine, where it is thus recorded :—

Died, December 3d, 1763, at Edinburgh, Alexander Hamilton of Innerwick, Esqr., Postmaster-General of Scotland.

Among the few remnants of the family papers saved by my mother I can find no further particulars of the death of this valuable public servant, and inestimable gentleman, who during his life was universally esteemed and beloved, and, indeed, constantly consulted in all domestic difficulties by his many noble friends and connections. Lady Mary, it would seem, had retired, after her husband's death, to live with their eldest son, now James Hamilton of Innerwick and Ballincrieff, an affectionate son and kind-hearted man, but foolish and extravagant to a degree ; for he was constrained to part with all the possessions of his ancient house very soon after he had succeeded to them, and was fain to accept the office of Keeper of His Majesty's Stores, first at Woolwich, and afterwards at Chatham. All this accounts for the fact that it was at the former of these Government departments that his mother, Lady Mary, lived during the five years she survived her beloved husband, and not at Ballincrieff, which never again held a Hamilton. For Lady Mary's obituary I am also indebted to the old Scots Magazine.

Died, November 17, 1768, at Woolwich, Lady Mary Hamilton, sister to *the late* Marquis of Lothian, and relict of Alexander Hamilton of Innerwick, Secretary to the late Prince of Wales,[1] for Scotch Affairs, and Postmaster-General of Scotland.

[1] Father of George the Third.

This obituary of Lady Mary also gives us the fact that she had survived her affectionate brother, William third Marquis of Lothian. He died at Lothian House, in Edinburgh, on the 28th July 1767, about a year and four months before the death of his sister, and was buried at Newbattle Abbey. The Marquis, however, had survived, for three years and a half, his brother-in-law, Mr Hamilton, whom he so greatly respected and loved, and to whom he owned himself and family under many obligations for what he calls "substantial good offices."[1] His death occurred about the very time when the "Auld Fifteen" put forth (to the general indignation of the whole kingdom) that monstrous judgment, depending on the President's casting-vote, which the fact of the Court being equally divided, on one of the most momentous social questions of the age, had brought into play, to the effect of consigning the memory and standing of the house of Douglas to infamy and poverty. But even the unscrupulous Hamilton faction could scarcely doubt what would be their fate in the House of Lords. Young Archibald Douglas, who evinced throughout a spirit worthy of his race, in a letter to his half-brother, Sir John Stewart of Grandtully, on the subject, dated 28th July 1767, takes occasion to record the death of William third Marquis of Lothian, who was his cousin-german once removed. He says,—

> Our cause is indeed lost here; but there is another Court, where justice and impartiality must prevail. The final decision here was not so great a stroke upon us as, I believe, upon most of our friends. Every person's character here is pretty well known, as well as their motives for their behaviour; but time,

[1] See before, letter from the Marquis to Mr Hamilton, p. 22.

and a little patience, will show everything, and every man, in their proper light, &c.

P.S.—The Marquis of Lothian died this day.[1]

These two events coming together must have deeply affected Lady Mary Hamilton. For she was devoted to her brother the Marquis, as well as to Lady Jane Douglas, and her only son and heir whom Lady Mary had petted from his infancy.

Not long before the deaths of the Marquis of Lothian and his sister, they had both received the welcome news of the happy marriage of her soldier son in America. Captain Archibald Hamilton, now commanding a company in the 31st Foot, had returned to America with his regiment, where he was destined to play a conspicuous part in the great storm, looming not far in the distance, the American War of Independence. He arrived in North America sometime in the year 1765. Of the few remnants that still remain to be extracted from my mother's old letter-case the following to her father, congratulating him on his happy marriage in America, is from his uncle and aunt, the Marquis and Marchioness of Lothian, a little more than six months prior to the death of the former.

Edinburgh, January 14, 1767.

Sir,—Your letter of the 18th of October gave both the Marquis and me great pleasure. We join in congratulatory compliments to you and Mrs Hamilton, and most sincerely wish you very much joy. Both the Marquis and I have been

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[1] Grandtully Papers, recently printed for the family, and edited by Mr W. Fraser of the Register House. The heir of Douglas was not too sanguine in his anticipations. England rejoiced in the result; Scotland got mellow over it; Edinburgh was illuminated.

very much distressed for several months; but I thank God we are a little better, though still confined to our rooms. This has prevented my writing sooner.

When we heard of your cousins, Lord and Lady Ancram, Lord and Lady Newbattle, Lord and Lady George Lennox, they were all well.[1]

Sir, your most affectionate humble servant, J. Lothian.[2]

P.S.—The Marquis sends his best compliments to Governor Colden.

[*Addressed*]—

To

Captain Archibald Hamilton, the General Post-office, New York, America.

My Mother's Maternal Descent.

Although my mother's father, too poor to marry any of his numerous cousins in Scotland, with all of whom he was on such intimate and affectionate terms, found his fate in America, most assuredly he neither married, nor became, a *Yankee*. A British officer, distinguished by his military antecedents of campaigning and wounds, and now commanding a company in one of His Majesty's regiments on service in America against the revolted

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[1] Lord Ancram was cousin-german to my mother's father; see before, p. 43. Lord Newbattle (Lord Ancram's son and heir) was his first cousin, once removed. Lady George Lennox (Lord Newbattle's sister) was also his first cousin, once removed. Lord George had broken through Lord Ancram's fatherly scruples by running away with his daughter. Of this escapade the following pleasant notice is recorded in the Grenville Papers (vol. i., p. 335) in a letter from Mr Jenkinson to Mr Grenville, dated December 25, 1759:—

"On last Friday night Lord George Lennox and Lady Louisa Kerr set out together for Edinburgh to be married. The Duke and Duchess of Richmond accompanied them. Lord George had before made his proposals to Lord Ancram, who would not consent, and desired his daughter to stay at least till she was of age, which is in less than a twelvemonth. But love got the better of duty."

[2] This was the Marquis's second wife, *Jean Kerr*, his own cousin-german, being a daughter of his uncle Lord Charles Kerr.

colonists, recommended, moreover, by his aristocratic connections in the mother country, could not fail to become on the most intimate and social footing with the highest British authorities in the great colony. Among the most distinguished of these, for his unflinching loyalty, statesman-like abilities, and profoundly scientific genius, was my mother's maternal great-grandfather, *Governor Colden*, to whom the Marquis of Lothian sends his best compliments, in the letter of congratulation quoted on the previous page. This eminent character, British Lieutenant-Governor of the great province of New York, (but who at that fearful crisis was acting as Governor-in-Chief), and President of His Majesty's Council there, rejoiced in the resonant name of CADWALLADER COLDEN. To the eldest daughter of the eldest son of this head of the government at New York, Captain Archibald Hamilton was married in little more than a twelvemonth after his arrival with his regiment in North America. But before proceeding with his history there, the reader must be introduced to

Governor Cadwallader Colden.

That I may not be thought to over-estimate the character and the genius of this great man, voices from across the Atlantic, where he was best known, shall speak for him. These witnesses are the less likely to be partial in his favour, that they are all partizans of the great American struggle for independence, in all its details, from the very commencement. Governor Colden was a subject of

the British Crown, and a devoted loyalist, but his was the highest type of a reasonable and consistent loyalty. His voice was never for war, and the whole bent of his genius was literary and scientific. When close upon seventy-eight years of age he held the reins of Government at New York, during that most alarming crisis the *Stamp Act* excitement and revolt, which indeed may be said to have struck the first note of the knell of our colonial possessions in that quarter of the globe. His sound and experienced judgment condemned the gross mismanagement of affairs at home; but, old as he was, his spirit never yielded to, or quailed before, the *ardor prava jubentium* of the colonial mobocracy who strove to frighten him from his duty, and drive him from his post, by threatening his life, and destroying his property before his eyes. Of this more afterwards. Meanwhile let us contemplate his character in its noblest phase of letters and profound science.

The following very interesting and complete biographical notice of a man too little known on this side of the Atlantic, but of whom the mother country has every reason to be proud, is to be found in the American Medical and Philosophical Register for January 1811. To this valuable article, written by John W. Francis, M.D., of New York, there is prefixed a very characteristic portrait of his illustrious subject, engraved from an original painting at that time in possession of his grandson, the late Cadwallader David Colden, of whom afterwards. The memoir itself is entitled,—"Biographical Sketch of the late Honourable Cadwallader Colden, Lieutenant-Governor of New York, with an account of his writings." From this I must quote largely, the book itself

being so little known in this country that I had considerable difficulty in finding a copy, but discovered it at last in the Edinburgh College Library. The article in question thus commences :—

This truly eminent and worthy character, who united in himself the several qualities we are accustomed to admire, in the *physician*, *naturalist*, and *philosopher*, was the son of the Rev. Alexander Colden of Dunse, in Scotland, and was born on the 17th day of February 1688. After he had laid the foundation of a liberal education under the immediate inspection of his father, he went to the University of Edinburgh, where he completed his course of collegiate studies.[1] He now devoted his attention to medicine, and mathematical science, until the year 1708, when, being allured by the fame of William Penn's colony, he came over to this country two years after. He practised physic with no small share of reputation till 1715, when he returned to England. While in London he was introduced to that eminent philosopher Dr Edmund Halley, who formed so favourable an opinion of a paper on Animal Secretion, written by Dr Colden in early life, that he read it before the Royal Society, the notice of which it greatly attracted. At this time he formed an acquaintance with some of the most distinguished literary and scientific characters, with whom he

[1] His father also had gone through his curriculum there, and took the degree of Master of Arts. In that useful (as regards the parochial succession of Scotch ministers) and laborious work, the *Fasti Ecclesiæ Scoticanæ*, the Reverend Alexander Colden of Dunse is thus characterised :—"As a divine, a Christian, and a man of the Gospel, for true piety, learning, wisdom, diligence, and success in gaining souls, he had few equals." It is also there recorded that he married, in 1687, *Janet Hughes*, of which marriage there came, in the following year, the great Cadwallader, who, according to the *Fasti*, was also christened *Ebenezer*. It would appear that he was born in Ireland, where his father had acted as minister to the Presbyterian congregation at Enniscorthy, and was only called to the parish of Bonkle, in the presbytery of Dunse, in 1690, and translated to Dunse in 1693, when Ebenezer Cadwallader must have been at least six years old. Touching the father's "success in gaining souls," he certainly did much to gain that valuable Presbyterian soul, Thomas Boston, author of the "Fourfold State," and the "Crook in the Lot." We learn from Boston's own Memoirs, that in the early days of his ministry in Ettrick Forest he suffered grievously in mind and spirit, from frequent gloomy fits of mental bewilderment, not far off madness, until raised from these sloughs of despond by the sage councils and cheerful guidance of Colden of Dunse, upon whom he constantly leant, and to whom he was very grateful.

ever after maintained a regular correspondence. From London he went to Scotland, and married a young lady of a respectable Scotch family, by the name of *Christie*, with whom he returned to America in 1716. In 1718 he settled in the city of New York, but soon after relinquished the practice of physic, and became a public character. He held in succession the office of Surveyor-General of the Province, Master in Chancery, Member of the Council, and Lieutenant-Governor. Previous to his acceptance of this last station, he obtained a patent for a tract of land designated by the name of *Coldenham*, near Newburgh, in this State, at which place he retired with his family about the year 1755, where he spent a great part of his life. He appears to have been occupied without interruption in the pursuit of knowledge, particularly in botanical and mathematical studies, at the same time that he continued his correspondence with learned men in Europe and America.[1] In 1761 he was appointed Lieutenant-Governor of New York, which commission he held until the time of his decease, the administration of the government repeatedly falling on him by the death or absence of several Governors-in-chief. His political character was rendered very conspicuous by *the firmness of his conduct* during the violent commotions which preceded the Revolution. His administration is also memorable, among other things, for several charters of incorporation for useful and benevolent purposes. After the return of Governor Tryon, in 1775, he was relieved from the cares of government. He then retired to a seat on Long Island, where a recollection of his former studies, and a few select friends, cheered him in his last days. He died in the eighty-ninth year of his age, on the memorable 28th of September 1776, a few hours before the city of New York was in flames, retaining his senses to the last, and expiring without a groan.

Leaving meanwhile the many illustrations which Dr Francis affords of Governor Colden's genius in its natural walks of philo-

[1] Dr Francis elsewhere notes Colden's *literary and scientific* correspondence as follows:— "With Dr Benjamin Franklin, from 1740 to 1757; with Linnæus, from 1747 to 1751; with Gronovius, from 1743 to 1755; with Dr Garden, from 1748 to 1768; with Dr Douglas, from 1720 to 1747; with Bartram of Pennsylvania, from 1742 to 1774; with Dr Whytte, from 1758 to 1763; with Dr John Bard, from 1747 to 1764; with W. J. Alexander of New York, one of the King's Council, from 1747 to 1764; with Mr Collinson of London, from 1740 to 1769; with the Earl of Macclesfield." This was George second Earl, President of the Royal Society, with whom Colden corresponded on the deepest subjects of science.

sophy and science, I must now turn to other American writers, whose patriotic object is to glorify that war of colonial independence, which it was the loyal duty of my mother's maternal ancestor firmly to resist in its initiatory form of tumultuous outrage against public peace and private property. That trust he fulfilled with a conscientious and judicious energy, both of body and mind, against which the weight of nearly seventy-eight years —the period of his life when he had to endure that double toil and trouble—had done him no more damage than to silver his locks. Even while approximating to that prolonged term of human life, his eightieth year, no stouter heart, no clearer head, no finer temper, no braver spirit, ever wielded the power of colonial government under more difficult circumstances than did this venerable man, whose intellectual fame had become known, both in England and Scotland, through his voluminous correspondence with men greatly distinguished in science and letters, before the Marquis of Lothian, my mother's paternal granduncle, sent "his best compliments to Governor Colden," her maternal great-grandfather.

The ill-judged and luckless American Stamp Act received the royal assent on the 22d of March 1765; and, by the terms of it, was to come into operation there on the 1st of November in that same year. Meanwhile a furious popular outbreak, factiously fomented and organised, arose against it. The capital of the great state of New York soon became the centre of the political storm, where Lieutenant-Governor Colden then ruled supreme, the Governor-in-chief, Sir Henry Moore, being at that time absent in England. General Gage, Commander-in-chief of the British forces

in America, was then residing in New York, and acting under the orders of the Lieutenant-Governor. That which is now a *fait accompli*, and hallowed in history, then only shewed itself in the blatant voice of the *profanum vulgus*, which wise men contemn, and brave men resist, until it happens to culminate, through many vicissitudes of chance, in triumphant success, not always a true index of its original merit. And such would have been the view still taken of that famous colonial revolt, even in the page of history, had the divided and scarcely less reckless and stormy councils of the mother country known the wisdom that might have retained her great colony, and saved America herself from much evil and oceans of blood.

The brave old acting Governor, as humane and enlightened as he was brave, could not possibly have entertained any other sentiment upon the occasion of these riots than "*odi profanum vulgus, et arceo.*" The story of this alarming crisis is well told in another very valuable and interesting American work, too little known in this country, from which I now quote:—

> When intelligence of the passage of the Stamp Act came over the sea, the people of New York boldly avowed their opposition. Cadwallader Colden, a venerable Scotchman of eighty years,[1] was acting Governor, and his Council were men of the highest character in the province. *Colden was a liberal-minded man;* yet duty to his Sovereign compelled him to discountenance the proceedings of the people, and his name appears in the records as the enemy of civil freedom. The "Sons of Liberty," who, organised at this time throughout the colonies, though not numerous at first in New York, were very active, *and gave*

[1] This is a little over-stated. When Colden was called upon to act against the Stamp Act rioters in New York, in November 1765, his age was, precisely, 77 years, 8 months, and 11 days.

Colden a great deal of trouble. The newspapers spoke out moderately, but manly, and there were few persons who openly advocated the Stamp Act. As the day approached when the Act was to be put in force (Nov. 1, 1765), people became more defiant, and it was resolved not to allow the stamps to be landed. A general meeting of the citizens was held on the evening of the thirty-first of October, when two hundred merchants appended their names to resolutions condemnatory of the Act. A committee of correspondence was appointed, and measures were adopted to force James M'Evers, the appointed stamp distributor, to resign his commission. The stamps arrived on the twenty-third of October; and M'Evers, already alarmed by the manifestation of the public feeling, refusing to receive them, they were placed in the hands of Lieutenant-Governor Colden, who resided within Fort George, *for safe keeping.* The garrison was strong, and under the command of General Gage, then chief captain of the British troops in America. In view of impending troubles, Colden had strengthened the Fort, and replenished the magazine. A knowledge of these facts increased the indignation of the people, but did not alter their resolution. Notwithstanding armed ships were riding in the harbour, and the guns of the Fort were pointed upon the town, the people assembled in great numbers, appeared before the Fort, and demanded the delivery of the stamps to their appointed leader. A *refusal* was answered by defiant shouts, and, *half an hour afterward,*[1] the Lieutenant-Governor was hung in effigy, in the fields where Leisler was gibbeted seventy-five years before. The effigy had a drum upon its back, a label on its breast, and in one hand a stamped paper. The drum was in allusion to the fact that Colden was a drummer in the army of the Scotch Pretender in 1715.[2]

[1] This clearly proves that these violeut outrages and public insults had been all organised beforehand by the "Sons of Liberty," to whom it was well known that the old Governor would die rather thau betray his trust.

[2] But "the fact" is, on the contrary, an *impossibility.* In 1715 Colden was twenty-seven years of age, and a man of great abilities, which would have found for him a much more important post than drummer, had he joined that unlucky rising. In that very year it was that he attracted the notice, in London, of the illustrious Halley, and the Royal Society. Immediately thereafter he went to Scotland, where he was chiefly occupied in playing upon the drum of the ear of Miss Christie, which he did to better purpose than any drum that was beat for the Rebellion of 1715. In the following year, 1716, he returned to America *with his bride*, whose name I have recently discovered was *Alice Christie*, daughter of the minister of Kelso, and that she died in 1762. The *Americanism* in question is impossible. His father, indeed, was an adept at raising "the stormy music of the drum,"—to wit, the "pulpit drum ecclesiastic—beat with fist instead of a stick."

An effigy of the Devil hung by his side, with a boot in his hand, to indicate the people's detestation of the Earl of Bute. *By the advice of Colden, Gage wisely refrained from firing on the people while these outrages were occurring.* Thence they paraded through the streets, back to the Fort, dragged Colden's fine coach to the open space in front, tore down the wooden fence around the Bowling Green, and after making a pile, cast the coach and effigy upon it, and set fire to and consumed all together. There were only three or four coaches in the city at that time, and as they belonged to wealthy friends of Government they were considered by the people evidence of aristocratic pride. Such was the prejudice against the name of *coach*, that Robert Murray, a Quaker merchant who owned one, called his "a leathern convenience." Colden's coach was made in England for Sir Henry Moore, the absent Governor-in-chief at the time. Colden's coach-house and stables were outside the Fort, and easy of access by the populace. The mob then proceeded out of town to the beautiful residence of Major James of the Royal Artillery, where they destroyed his fine library, works of art, and furniture, and desolated his choice garden. Isaac Sears and others, leaders of the "Sons of Liberty," who had issued strict orders forbidding injury to private property, endeavoured to restrain the mob, but the storm they had raised could not be quieted till the appetite for violence had been appeased. After parading the streets, with the Stamp Act printed upon large sheets, and raised upon poles, headed "England's Folly and America's Ruin," the populace quietly dispersed to their homes. Excitement still prevailed in the city, when Colden, perceiving further resistance to the will of the people unavailing, ordered the stamps to be delivered to the Mayor (Cruger) and Common Council, the former *giving a receipt for the same*, and the Corporation agreeing *to pay for all stamps that should be destroyed or lost.* This was satisfactory to the people, and quiet was restored. Governor Sir Henry Moore arrived on the third of December,[1] and his conciliatory course tended to confirm the quiet *which Colden had restored to the Province.*[2]

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[1] This date is a mistake, as we shall afterwards find from Colden himself. Sir Henry arrived 13th November 1765, twelve days after Governor Colden had restored quiet.

[2] "The Pictorial Field-Book of the Revolution; or, Illustrations by pen and pencil of the history, biography, scenery, relics, and traditions of the War for Independence. By Benson J. Lossing. With eleven hundred engravings on wood, by Lossing and Barritt; chiefly from original sketches by the Author. In two volumes, royal octavo, published at New York by Harper and Brothers, Franklin Square. 1855."

The instructive, interesting, and beautiful work from which I have here so largely extracted, is invaluable to the memory of the great and blameless man, whose character and conduct have been treated by one American historian—and one only—with a degree of injustice that is only to be equalled by its meanness. I refer to the History of the American Revolution by Mr George Bancroft (at one time Ambassador to the Court of St James's), the last volume of which was published in London, 1854, one year prior to the publication in America of the "Pictorial Field-Book of the Revolution." If the particular instance of false history, and unfair dealing with the sources of true history, which filial duty to a good and great ancestor here compels me to impugn, be any test of the character of Mr Bancroft's work, the accuracy and the spirit of it have been lauded greatly beyond their value.

Dr Francis, besides minutely recording the enormous correspondence of Governor Colden with a host of eminent men (as noted before, p. 137), affords, further, the following valuable biographical details:—

> The numerous manuscript papers left by Dr Colden at the time of his death, and which for many years were supposed to be lost, have been lately found, and are now in the possession of his grandson, Cadwallader David Colden, Esq., Attorney-General for the southern district of this State. They are chiefly on historical and philosophical subjects, and many of them are of the *greatest value.* —(*which Dr Francis here enumerates. To be noticed afterwards*).
>
> There are, too, a great variety of papers on *public affairs*, which must be considered as documents of *primary importance*, as they necessarily contain numerous facts which throw light on the history of this State. Dr Colden was unquestionably a man of various and extensive learning, of superior talents, of the most indefatigable industry, and, indeed, in many respects his character will

not suffer by a comparison with that of our illustrious countryman, Benjamin Franklin.

Thus far Dr Francis. Then there is added a note by the editor of the American Medical and Philosophical Register of 1811, in which this memoir of Governor Colden appears, as follows:—

We are happy to announce that Cadwallader David Colden, Esq., intends ere long to offer to the public a biographical account of his venerable grandfather, together with a selection of the most important of his writings. Such a work cannot fail to meet with a hearty reception from the American people, and to afford another and durable monument of the talents, industry, and various acquirements of this celebrated physician and philosopher. It is proper, however, to add, that through the kindness and liberality of Mr Colden, the editors are put in possession of many highly interesting articles for publication, written by Dr Colden, and that they will be given to the public through the medium of the Register.

Alas! Mr Colden's pious intention was destined to be fitted into that wonderful mosaic which paves the antipodes of Heaven. Nor is this surprising. He was in great practice as an eminent lawyer, and his hands full of various public matters besides. Instead of fulfilling his intention, he did that which ought to have been a much better plan, but which, as it happened, was the worst he could have adopted. He gave over all these valuable and voluminous manuscripts to Mr George Bancroft, upon the faith of his reputation as an historical writer, to aid that author in his design of writing a history of the American Revolution. This fact is stated by Bancroft himself in the preface to his third volume, published in London, 1854, in the following words:—

Long continued pursuit, favoured by a general good will, has brought into

my possession papers, or copies of papers, from very many of the distinguished men of the country in every colony. Among those who have rendered me *most valuable aid* in this respect I must name, in an especial manner, the late Mr Colden of New York, *who entrusted to me all the manuscripts of Lieutenant-Governor Colden, covering a period in New York history of nearly a quarter of a century.*

Surely the pen of the historian must have blushed as it wrote this disingenuous and farcical flourish. Let us see how it agrees with the text of his history—with the trust thus committed to him by a too confiding friend, who, long ere the date of Bancroft's publication, was in his grave.

The venerable Cadwallader Colden, the much esteemed friend and constant correspondent of *Benjamin Franklin*, second only to him, in America, as regards the highest departments of science—this "truly eminent and worthy character,"[1]—as Dr Francis describes him—"who united in himself the several qualities we are accustomed to admire in the *physician*, the *naturalist*, and the *philosopher*,"—whose grey hairs, at fourscore, were surrounded with a halo of science, wisdom, goodness, and humanity,—has been made to appear, in the pages of this historian, as a man only noteworthy from being the vicious tool of royal tyranny at war with the sacred liberties of mankind. Tracing with exultation and seeming approbation those tumultuous and desperate outrages and public insults, in the midst of which Governor Colden conducted himself so greatly to his honour—never using the Colden papers, which had been long entrusted to him for the sake of truthful history, to any other purpose than disparagement of the venerable head of that excellent family, and only effecting this discreditable

purpose by using those valuable materials in the reticent form most convenient for a disingenuous narrator—never allowing a hint to escape him of the surpassing genius, the humane character, the genial disposition, or even the *great age* of the man he portrays so falsely, this historian assails with petty calumny one of the greatest and best beloved men of his day in America, having at the same time in his hands the most ample materials for doing him every justice. The vein of his excited and fantastical narrative of the Stamp Act riots is throughout depreciatory of the Governor, in a most trying position of responsibility, and laudatory of a mob secretly and systematically drilled into its worst phase of senseless outrage. He says,—"Colden himself retired within the fort, and got from the Coventry ship of war a detachment of marines." Was that a demerit? He retired there, surrounded by a terrified family of children and grandchildren, for safety to their lives. Then, adds our historian,—"He (Colden) *would have fired on the people*, but was menaced with being hanged, like Porteous of Edinburgh, if he did so,"[1]—as if pusillanimity, and not humanity, had stayed his hand! A positive untruth. In that great American work, the "Field-Book of the Revolution," written by a thorough partizan of American independence, it is expressly stated,—"*By the advice of Colden*, Gage wisely refrained from firing on the people while these outrages were occurring." We shall learn presently, from Colden himself, upon what principle it was that he exercised such forbearance, in the very extremity of danger. His *advice* upon this occa-

[1] Here Bancroft quotes—"Paper delivered at the fort gate by an *unknown hand*, Nov. 1, 1765." The "hand" would be very well known to the "Sons of Liberty."

sion was equivalent to a command. Bancroft says,—"The authority of the British government was concentrated in the hands of Gage, the General." It was not so. Gage was Commander-in-chief of the troops in America. But the authority of the British government at New York centred in Colden, the General being under his orders to defend and enforce his authority. And, twelve days before Sir Henry Moore had arrived, with his superior commission, from England, the mingled pluck and prudence of his octogenarian *locum tenens* had perfectly succeeded in his sole object, which was to save the ship-load of stamped paper from being destroyed by the mob, and at the same time to restore order and quiet to New York. But Mr Bancroft is pleased to favour his readers with this gratuitous morsel of malice, resting entirely upon his own *ipse dixit.* "*The thirst for revenge rankled in Colden's breast*"! Fortunately, however, the venerable Governor's *own account* of all these transactions can still be appealed to in defence against this modern calumny, which was not the accusation preferred against him at the time. It only recently became known to me, through that valuable work, Allibone's Dictionary of British and American authors, that Governor Colden, who, on Sir Henry Moore's assuming the reins of government, having quietly returned to his country-seat on Long Island, had there employed his able and ever active pen in framing a vindication of his own administration as Governor of New York, against an unscrupulous clique of interested individuals, who had long been striving to compel him to disobey the orders of the home government, and the commands of his Sovereign. The pamphlet

itself, consisting of sixty-six octavo pages (doubtless very rare, for all these old stories about America are now but "A Memorie") I was so fortunate as to find in the Advocate's Library, bound up miscellaneously with various others, on different subjects. It bears this simple and modest title-page,—"The conduct of Cadwallader Colden, Esquire, late Lieutenant-Governor of New York, relating to the Judges' commissions; appeals to the King; and the Stamp Duty. Printed in the year 1767." On this title-page there is neither the author's nor printer's name, and the whole is written in the third person. But there can be no doubt that it was written by the Governor himself, and printed for distribution. It commences with the following short statement of its inducing cause and general import:—

While an angry faction in the Province of New York confined their calumnies of Lieutenant-Governor Colden to a common newspaper, he did not think that they deserved his notice. The malice in those papers is so apparent they can have no influence on any man disinterested in the dispute. He satisfied himself with laying the reasons of his conduct before his Majesty's ministers, who are the proper judges of it. But that faction having influenced the General Assembly to pass a public censure on Mr Colden's conduct, after he had been succeeded in the administration by Sir Henry Moore, he thinks himself loudly called upon, by every motive which can influence an honest, innocent man, to vindicate his character.

Lieutenant-Governor Colden's conduct has been found fault with in three instances—*and in those alone.*

First, his refusing to grant the Judges' commissions *during good behaviour. Second,* his supporting a right to appeal from the Courts of common law, in civil causes, to the Governor and Council, and from thence to the King in his Privy Council, *pursuant to the King's instructions to his Governor of New York* for that purpose. *Third,* In the deference which he had to *an Act of Parliament,* for laying a stamp-duty in the colonies.

Each of these heads is illustrated, and reasoned with a clear and temperate simplicity characteristic of this venerable and dignified gentleman. It carries conviction along with it, but can only be dealt with very briefly here. The following extract is in his own words:—

1. *The Tenure of the Judges' Commissions.*

At the same time that the Government of the Province of New York devolved on Mr Colden, by the death of Lieutenant-Governor De Lancey, the office of Chief Justice, which Mr De Lancy also held, became vacant. The appointment of a new Chief Justice was consequently one of the first things Mr Colden had to think of. The tenure of Mr De Lancey's commission was *during good behaviour;* and the then *puisne* Judges held their commissions on the same tenure. The granting of the Judges' commissions in that manner was *a direct breach of the King's standing instructions to his Governor*, and contrary to the continued practice in New York, the present instances only excepted. It was expected that Mr Colden should follow the last example, and, without regard to his instructions, should appoint a Chief Justice *during good behaviour*. But he was *immovably determined to obey the King's instructions*.

The Assembly, in their first sessions after the administration had devolved on Mr Colden, prepared an address to him to appoint a Chief Justice *during good behaviour*. He prevailed upon them to drop the address, by assuring them he would lay the matter before his Majesty's ministers; which he not only did, but, with great freedom, informed them that the people were uneasy, from an apprehension that some needy person in England might be appointed Chief Justice of the Province. At the same time he suggested to the ministry that he hoped the Assembly would be satisfied with the appointment of a Chief Justice *during the King's pleasure*, on condition that he (the Governor) was enabled to give his assent to a law that no Judge shall be removed by a Governor otherwise than by express command from the King; or by desire of the Assembly, signified by public address; or by advice and consent of the Council, signified under the hands of at least seven of them. This he had mentioned to the Speaker of the Assembly, and is a strong instance that, while Mr Colden honestly obeyed his instructions, and supported the prerogative of the Crown, he was not inattentive to the security of the people, and the free administration of justice.

While this severe check to the Lieutenant-Governor's loyal and honest administration of his highly responsible office, occurring in the first months of his appointment, was pending, the sudden death of George II., 25th October 1760, became known in New York. Resistance to the good Governor then blazed out afresh. The *puisne* Judges refused to have their commissions renewed under any other tenure than *during good behaviour*, and threatened (the Chief Justiceship being vacant) to shut up the Courts of justice, by refusing to act. The House of Assembly backed them; and upon the Governor refusing to renew these commissions otherwise than *during the King's pleasure*, they brought a bill into their House of Assembly for making the tenure of the Judges' commissions *during good behaviour*, as the *puisne* Judges demanded. Old Cadwallader, whose spirit and firmness was tempered throughout with the utmost caution and propriety of demeanour, "took time to consider of it, transmitted a copy of the bill to his Majesty's ministers, and pressed to know his Majesty's pleasure,"—intimating at the same time that the persistence of the Assembly "might perhaps induce a *necessity* of giving his assent to the bill, to prevent a total failure of justice: On which the Plantation Board, in their representation to the King, say,—'They could not but be of opinion that if, under these circumstances, Mr Colden should have complied with so pernicious a proposal, he will justly have deserved his Majesty's royal displeasure.'"

While the due administration of justice was in this detrimental state of abeyance, and two competing *puisne* Judges keenly soliciting Colden for the Chief Justiceship, "Mr Prat arrived with

his Majesty's *mandamus* to be appointed Chief Justice of New York, *during the King's pleasure*, and his commission was made out accordingly." All the other disappointed Judges factiously refused to sit during the term which commenced after the new Judge's arrival; whereby, says Colden, with mild complacency, "the Courts of justice received not the least prejudice or obstruction. Mr Chief Justice Prat was a man of distinguished abilities, knowledge, and integrity." And as for the two *puisne* Judges who had been soliciting him for that promotion, he says,—"Mr Colden did not know one man of distinction in the place who thought either of them qualified for the office."

All this occurred about the close of the year 1760; and the final result is thus stated in Colden's Vindication:—

> The February following, the Lieutenant-Governor received his Majesty's *additional* instruction, commanding him that he "do not, on any pretence whatsoever, upon pain of being removed from his government, give his assent to any Act by which the tenure of the Judge's commissions shall be regulated or ascertained in any manner; and that all commissions to the Judges shall be during pleasure only." *This instruction put an end to the dispute.* The Judges are appointed during pleasure, and the Assembly gives them salaries from year to year. The Assembly continued obstinately determined to keep the Judges dependent *on them*, while they contended to have them *independent of the King.* The obedience due to the King's command is certainly of itself a sufficient justification of Lieutenant-Governor Colden's conduct on this occasion. But, besides this, he was influenced by a consideration of the due administration of justice to the people under his care.[1]

[1] The sage old Nestor round whom this storm was gathered proceeds to assign, and illustrate with great ability, the most cogent reasons against allowing the Judges' commissions to be independent of the King, while they were to be dependent, from year to year, on the factious will of the Assembly for their salaries.

2. *The Right of Appeal in Civil Cases.*

Although, says Colden, "from the disappointment which some powerful men in the Province met with, in this instance, arose a resentment which has not subsided since that time, his Majesty's additional instruction having silenced the contest, the Lieutenant-Governor's administration continued without any apparent dissatisfaction until an incident, in October 1764, brought on that part of his conduct which has been principally blamed; and on which occasion no artifice has been omitted to raise most violent prejudices, by the loudest clamours and most virulent calumnies."

By the royal instructions to the Governor of the Province of New York a right of appeal from any of the Courts of common law in the Province was allowed (under certain specified conditions and directions) to the Governor, or the Commander-in-chief, and the Council of the said Province, and from that to the King and Privy Council. In terms of this instruction an appeal was brought, from a verdict and judgment in the Supreme Court of common law, to the Governor and Council, for excessive damages in a case of assault and battery. The Judges refused the appeal, and would not allow an entry to be made of it in their minutes. "The Lieutenant-Governor," says Colden, "sealed a writ which the defendant brought for removing the cause before the Governor and Council, telling him that he took it at his peril, and that it would be quashed if it was erroneous." After a great deal of factious and unfair proceedings towards the venerable and conscientious Governor (the details of which he gives), on the part of those Judges

who already owed him a grudge, his own Council were prevailed upon to declare "that no other than an appeal in error is the intention or meaning of the Crown by this instruction, and that they cannot take cognisance of any other appeal." Colden adds,— "It is evident the gentlemen of the Council did not determine by any judgment in themselves, but by their faith in others." Accordingly he entered his dissent from this opinion, declaring he would transmit his reasons to the King's ministers, with whom he was in constant correspondence, and whose instructions he had no right to dispute, and so no reason to disobey. The result is thus given in his Vindication :—

On the 10th of July 1765 this appeal was, by the claimant's petition, brought before the King in his Privy Council, and referred to the Right Honourable the Lords of the Committee of Council for hearing of appeals from the Plantations, who reported their opinion on the 17th of the same month; and on the 26th his Majesty was pleased to confirm their report, and to order "that the petitioner be admitted to bring his appeal from the said verdict and judgment of the Supreme Court, &c.; whereof the Governor, Lieutenant-Governor, or Commander-in-chief of his Majesty's Province of New York for the time being, and all others whom it may concern, are to take notice, and govern themselves accordingly." The Lieutenant-Governor received this order on the 4th of October following, and having communicated it to the Council ordered it to be entered on the minutes of the Council, and the original to be lodged in the Secretary's office. By this judgment of the King in his Privy Council the judgment of the Court of the Governor and Council is reversed, and the opinion of the Lieutenant-Governor, signified by his dissent, is confirmed. The most violent resentment of the faction, which governs the Court of Judicatory in this Province, arose against the Lieutenant-Governor in consequence of it. They, taking advantage of the general abhorrence against the Stamp Act, and which had been raised by the inflammatory papers daily published, turned the edge of the popular fury against the person of the Lieutenant-Governor, which before that time they had not been able to do.

3. *The Stamp Act Riots.*

For the disgraceful details of these riots, including a violent attack upon the property and personal safety of the venerable head of the Government, and his terrified family, we are indebted to that beautiful work, so rare in this country, the "Field-Book of the American Revolution," from which a full and particular account of them has already been extracted. Colden himself disdains to go into the details of all these outrages and puerile insults (sufficiently notorious at the time), the ingratitude of which appears to have distressed him more than their violence. He exonerates, however, the mere mobocracy from any real animosity against himself or his family, and attributes this momentary semblance of such a spirit to the manner in which it had been roused by the influential parties who owed him a grudge for the firm and successful manner in which he had resisted every factious attempt to make him swerve from his duty, and his allegiance. But he triumphantly vindicates his conduct at this alarming juncture from the imputation of having indicated, in a single instance, any disposition to uphold a tyrannical rule against the inherent liberties of the colony.

In the beginning of September 1765 "the Old Man," as he quaintly styles himself in his Vindication, was residing (to avoid the summer and autumn heats) in his favourite country-house of Springhill Farm on Long Island, deeply immersed in the scientific pursuits, and learned correspondence, which were the real occupation and delight of his existence. But the daily increasing popular agitation, and inclination to riot, as the cargo of stamped papers

neared the shore, required him to call a council at New York. General Gage had written to him, in great alarm, complaining of the unrestrained license of the seditious newspapers. About the same time (says Colden) he "received a letter from Mr M'Evers, wherein he resigned his office of Distributor of Stamps, and desired the Lieutenant-Governor to take care of the stamped papers and parchments when they arrived; declaring at the same time that his person and effects were threatened in such manner that he durst not execute his office." The "old man" as usual rose equal to the occasion. He instantly appointed his second son, David Colden (no less devoted to science than his father), Distributor of Stamps *ad interim*, and undertook the whole responsibility of protecting them when they arrived. How he acted is best told by himself:—

It having been openly and repeatedly declared that the mob was resolved to destroy the stamped papers and parchments, and that they would put this design in execution before the ship came near the town, the Lieutenant-Governor desired the Captains of his Majesty's ships then in the harbour to take the proper methods to guard against such design. The Captains immediately complied; and when the ship arrived with the stamped paper on board she was brought to an anchor under the command of the frigates and the guns of the Fort. But the packages of stamps were so intermixed with the other goods that it was impossible to get them out of the ship without unloading a great part of the cargo. The Lieutenant-Governor, therefore, told the master and owner of the ship that they might carry her to the wharf, and that he would direct the Mayor of the city to protect her until the stamped paper was landed. On which both of them remonstrated that thereby the ship, and all the goods on board, would be in imminent danger of being destroyed; and therefore, in behalf of themselves, and all the freighters, requested he would desire the frigates to assist in removing the goods, until the stamped papers could be taken out. This was accordingly done, and the packages of stamps were brought on

shore at noonday, and carried into the Fort, without any guard, and without the least molestation, from any person in the town. The *demagogues* were not apprised of this, and the *people*, of themselves, were quiet. Between this and the first of November the Lieutenant-Governor frequently passed through the streets in his usual manner, without the least appearance of disrespect or insult offered to him.

The stamps arrived on the 23d of October. The day appointed for their being distributed was the 1st of November following. The Act of Parliament rendered it imperative upon every Governor in the colony to make oath that he would see the provisions of the Stamp Act punctually carried out. "The Lieutenant-Governor," says Colden, "was of opinion that every man is obliged to yield obedience to a public law; and so thought every Governor on the Continent; they were all in the same situation, and all took the oath before the 1st of November." Then was the phial of the wrath of disappointed faction, and excited sedition, which had not yet attained the dignity or privileges of a revolution, broken on the venerable, and, by all else, venerated head of Cadwallader Colden, who thus tells the tale :—

Soon after the Lieutenant-Governor had taken the oath, the first personal disrespect to him appeared. Placarts were fixed up in the merchants' coffee-house, and at the corners of the streets, upbraiding the Lieutenant-Governor for having, as it was styled, *bound himself by an oath to be the chief murderer of the rights and privileges of the people, to be an enemy to his King, his country, and mankind;* and threatening to bring his *grey heirs*[1] to the most ignominious death, in case he attempted to put that law into execution: In consequence of which that egregious insult on the person of the Lieutenant-Governor, and on

[1] All these italics are in the original by Colden.

the Government, happened on the evening of the 1st of November; an account of which was published in all the newspapers in America, and from thence in the newspapers in Great Britain. The Fort at the time of this insult [1st November 1765] was far from being in a proper state of defence. For many years preceding it had only been regarded as the place of the Governor's residence, and everything about it had been ordered for the pleasure and conveniency of his family. No parapet or breastworks on the ramparts; the men on them all exposed; the range of the flanking guns every where obstructed by buildings without the walls, and other conveniences for the Governor's use. As the gentlemen of the Council and the Magistrates of the city had assured the Lieutenant-Governor that there was no danger of riots or mobs, and thought it imprudent to shew any diffidence of the people, he suffered the Fort to remain in that state.[1] But, notwithstanding this, the Lieutenant-Governor had force sufficient to have dispersed that most insolent mob. *The only security they had was from his prudence and humanity.*[2] One discharge of the artillery and musketry in the Fort must have destroyed many hundreds of them; and the breaking open of his coach-house and stables might have justified the use of force. But in such a case many more innocent people must have suffered than the whole number of the guilty. Possibly a sergeant's command, as it was thought, might have saved the Governor's chariot; but perhaps with bloodshed, as many of the mob were drunk. And *when once blood is shed no man can tell where it will end.*

Next day the mob continued to patrol the streets; and, encouraged by their late success, they boldly threatened to put every person in the Fort to death, and *at every risk* to destroy the stamped papers lodged there. The engineers of the army were *then* ordered to put the Fort in the best posture of defence they could. It was now apparent that the mob had not been raised only to make a show of their resistance against the Stamp Act. They had sufficiently deterred

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[1] Bancroft states (iv. 234) that, *long before* the stamps arrived, "Colden, *emboldened* by the arrival of two artillery companies from England, *put the Fort in such a state of offence and defence* as to be able to boast alike to Conway and Amherst that he had 'effectually discouraged sedition.'" And if so, who could have blamed him? But Bancroft's statement is untrue, as we now learn from Colden himself. Bancroft quotes "*Colden to Conway*, 23d Sept.," and "*Colden to Amherst*, 10th Sept." We should like to have seen those letters.

[2] Compare this statement by Colden himself with Bancroft's atrocious calumnies, quoted before, pp. 145, 146.

every man from attempting to *execute any office* under that Act. The Lieutenant-Governor, though determined to preserve the stamped papers *from destruction*, could not oblige any person to make use of one of them. Nor did he, *on any occasion*, discover an inclination to compel an obedience to the Act by force.[1] He thought it necessary that the officers of Government should exert all their power and influence, and that the appearance of a military force should assist to preserve the peace and decorum of Government, and to prevent such scandalous and destructive riots as had happened in the neighbourhood. He thought he would be inexcusable to suffer the stamps to have been destroyed, while everything in his power had not been done to protect them.

The savage threat "to put every person in the Fort to death, and, *at any risk*, to destroy the stamped papers lodged there," only roused the pluck and energy of the brave old Governor to meet it. "Everything," he says, "was prepared in the Fort for *a defence*. Numbers of the gentlemen of the town came in, at several times, to propose some method of accommodation. They had *full opportunity* of discovering *the old man's disposition of mind*. Fear was very evident in the countenances of those who, the day before, expected to frighten the Lieutenant-Governor into the most *abject compliances*. Nothing now remained but to save their credit in some manner with the mob, and to appease their fury." Great pressure was put upon him to give up the contest, and let the stamps go. The severest pressure of all must have been that to which an American author alludes, who says that, although "a *terrified family* implored him to regard his safety, he yet pre-

[1] Yet Mr Bancroft, *more suo*, says that Colden wrote to the British Secretary,—"I am resolved to have the stamps *distributed*." We should like to have seen that letter.

served a firmness of mind, and succeeded in securing the papers on board a British man-of-war."[1] But this last is not precisely what happened. "The mob," says Colden, "were set upon a new demand, that the stamped papers should be sent on board of one of the King's ships." Overborne in his desire to defend the Fort, if attacked, by the timidity of General Gage, to whom he had appealed, the brave old Governor then "wrote to Captain Kennedy, informing him of their desire, without joining in it. Captain Kennedy, urged that the stamped papers were more safe in the Fort than they could be on board any of the frigates." Alarmed for the town, "the corporation in a body attended the Lieutenant-Governor, and prayed that he would deliver the packages of stamped papers to them, and *they would answer for their safety.*" General Gage concurred in that petition. The "old man" yielded, but made his own conditions. "The packages of stamps (he says) were delivered to the corporation, *on their obliging themselves in writing to make good all that should be destroyed, lost, or sent out of the Province,* at the value they could have produced by the distribution of them." By this means Colden saved the stamped papers, the credit of Government, and *his own honour.* He thus concludes the story:—

The packages were delivered to the corporation on the 5th of November (1765), after which all threatening ceased, and the city remained quiet until Sir

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[1] New Biographical Dictionary by William Allen, published in America about the year 1811. This author is not precisely accurate in some of his dates of these transactions, and is mistaken as to the stamped papers being saved on board a man-of-war. But his biographical sketch of Cadwallader Colden is very interesting, and generally accurate.

Henry Moore arrived on the 13th. The Lieutenant-Governor immediately removed from the Fort to his grandson's house in the town, where he stayed some days, and walked the streets several times, without having the least disrespect shewn to him by any person. Afterwards he retired to his country house, about fifteen miles from the town, where he has remained without the least disturbance in any shape.[1]

The faction still predominating against him in the House of Assembly then took a mean and impotent revenge. Whenever his back was turned, they passed violent resolutions against the venerable and blameless Lieutenant-Governor, whose philanthropic benevolence had long marked him as a benefactor in the Province and City of New York, and whose scientific genius was an honour to them. They resolved that he was the tool of tyranny against a people's liberty, and that his conduct had "filled the minds of his Majesty's subjects in this colony with jealousy and distrust, to the great prejudice of the public service, and the repose of the inhabitants." The "old man," enjoying his *otium cum dignitate* in his rural retreat, took up his able and honest pen, and

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[1] Bancroft keeps up his mean disparagement of Colden to the very end of his narrative of these transactions. His disingenuous gloss is, that the Lieutenant-Governor eventually succumbed to the menaces of the mob, and gave up his gallant struggle to save the stamped papers from destruction at their hands. Evading all notice of the precise *written obligation* which he exacted from the corporation, for their safety, or *equivalent value*, he thus sneers at the result:—"So the head of the Province of New York, and the military chief of all America, *confessing their inability* to stop the anarchy, *capitulated* to the municipal body, which *represented the people*. The stamps were taken to the City Hall. The *City Government* restored order. The press continued its activity, and in all the streets was heard the shout of 'Liberty, Property, and no Stamps.' *The thirst for revenge rankled in Colden's breast.*" Elsewhere he says,—"Even the children at their games, *though hardly able to speak*, caught up the general chorus, and went along the streets merrily carolling,—'Liberty, *Property*, (!) and no Stamps.'" Heaven help History if such nonsensical bombast as this is to pass for it.

wrote the noble defence of his conduct which his great-great-grandson, the writer of these pages, prides himself in having here brought to light. Colden exposes the utter falsity of their "Resolutions" against him, and concludes with this severe rebuke:—

> What principles must men be actuated by who can calmly make such accusations, at a time when the spirit of mobbing was up, and the lives and estates of innocent men in several instances were most dangerously exposed to the fury of the deluded populace! That the Lieutenant-Governor preserved either his life or fortune, so accused, and so pointed out, at such a time, must be owing to the private character which he has established in near fifty years' residence among the people.[1]

It does not appear from Colden's narrative that the new Governor of the Province of New York had taken any part in the

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[1] The ingratitude was as great as the outrages were disgraceful. Besides the general urbanity and benevolence of his disposition and habits, Colden was perhaps the greatest benefactor of his day to the Province he so long and worthily governed. "In the years 1741 and 2," says Dr Francis, "a fever, which occasioned great mortality, prevailed in the city of New York, and created much alarm. He communicated his thoughts to the public on the most probable method of curing the calamity, in a small treatise on the occasion, in which he enlarged on the pernicious effects of marshy exhalations, moist air, damp cellars, filthy stores, and dirty streets; shewed how much these nuisances prevailed in many parts of the city, and pointed out the remedies. *The corporation of the city presented him their thanks*, and established a plan for draining and clearing out the city, which was attended with *the most salutary effects*. In 1753 he published (at great length) some observations on an epidemical sore throat, which appeared in Massachusetts in 1735, and had spread over a great part of North America." Allen, another American author and patriot, in his Biographical Dictionary thus refers to Colden's administration of the Government:—"His administration is rendered memorable, amongst other things, by several charters of incorporation for *useful and benevolent purposes*: The corporation for the relief of distressed seamen, called the Marine Society; that of the Chamber of Commerce; and one for the relief of widows and children of clergymen,—will transmit his name with honour to posterity." Was this a man likely to trample on the liberties of the people, whom to benefit was the labour of his life? Was Bancroft recording the *truth* when he said,—"The thirst for revenge rankled in Colden's breast?"

brutum fulmen of faction which followed his predecessor's retirement to his country-seat. Sir Henry's reign indeed was very brief, and scarcely survived the temporary calm which followed the Stamp Act riots. "In the autumn of 1769," says the Field-Book of the Revolution, "Sir Henry Moore died, and the reins of Government were again held by Colden." A good commentary this upon the factious Assembly's "Resolutions." His invaluable services were once more required at New York, to govern the Province in chief, and the "old man" (whose commission as Lieutenant-Governor never fell during his life) returned to his old post amid universal respect, and not a murmur uplifted against the reappearance of his "grey hairs." Old as he was, he remained head of the Government for five years longer, and without tumult or riot disturbing him, until finally relieved from its cares by Governor Tryon in 1775, when, as Dr Francis records, he retired to his seat on Long Island, and died peacefully there, towards the end of the following autumn, in his eighty-ninth year. Another of his American biographers states a little more specifically, that during the short period between his retirement and his death he enjoyed the society not only of his numerous family, but of "a few select friends, ever welcomed by his social and hospitable disposition, who cheered him in his last days. At his death he complained neither of pain of body nor anguish of mind, except on account of the political troubles which he had long predicted, and which he then saw overwhelming the country."[1]

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[1] Allen's American Biographical and Historical Dictionary, 2d edit., published at Boston, 1832.

Colden's History of the Five Indian Nations.

It was at his country-seat of Springhill, near Flushing, on Long Island, that Cadwallader Colden breathed his last. But long ere he rose to be head of the government at New York he had acquired another favourite possession, where he spent much of his life, devoting it alternately to agriculture, botany, and astronomy; at the same time making friends with and studying the character of the frontier Indians. Of this territorial acquisition we find the following interesting account in Allen's American biographies, already referred to:—

> He (Colden) had previously obtained a patent for a tract of land about nine miles from Newburgh, on Hudson's river, and to this place, which, in his patent, is called *Coldingham* or *Coldenham*, he retired with his family about the year 1755. There he undertook to clear and cultivate a small part of the tract as a farm, and his attention was divided between agriculture and philosophical pursuits, and the duties of his office as Surveyor-General. The spot which he had selected for his retirement was entirely inland, and the grounds very rough. At the time he chose it for a residence, it was solitary, uncultivated, and the country around it absolutely a wilderness, without roads, or with such only as were almost impassable. It was, besides, a frontier to the Indians, who committed frequent barbarities. Yet *no entreaties of his friends*, when they thought him in danger from his savage neighbours, could entice him from his favourite home. He chose rather to guard and fortify his house; and amid dangers which would have disturbed the minds of most men, he appears to have been occupied, without any interruption, in the pursuit of knowledge.

The truth is, however, that this man of many talents, none of which he ever suffered to lie unproductive, not only did not fear the face of a red Indian, but he took the greatest interest in the history of the various tribes, an interest which very soon after he had

settled in America culminated in his most instructive and once famous "History of the Five Indian Nations depending on the Province of New York"; which he laboriously traced "from the time the Christians first knew anything of them, to that of the Revolution in Great Britain." Ever anxious to promote the best interests of the Crown in those colonial affairs which in the end became so ruinously mismanaged at home, his special object in that history was to promote and excite a proper understanding of the real interests of Great Britain in cultivating a beneficial connection with these so called savages. I may here quote a passage that does him great honour :—

> The *Five Nations* are a poor, and generally called barbarous people, bred under the darkest ignorance; and yet a bright and noble genius shines through these black clouds. None of the greatest Roman heroes have discovered a greater love to their country, or a greater contempt of death, than these people, called barbarians, have done, when liberty came in competition. They greatly sully, however, those noble virtues by that cruel passion, *revenge*. This they think it not only lawful but honourable to exert without mercy on their country's enemies, and for this only it is that they can deserve the name of barbarians. But what, alas! have we Christians done to make them better? We have indeed reason to be ashamed that these *infidels*, by our conversation and neighbourhood, are become worse than they were before they knew us. Instead of virtues, we have only taught them vices they were entirely free from before that time. If care were taken to plant and cultivate in them that *general benevolence to mankind which is the true first principle of virtue*, it would effectually eradicate those horrid vices, occasioned by their unbounded revenge; and then they would no longer deserve the name of barbarians, but become a people whose friendship might add honour to the British nation.

It was in 1727 that the first edition of Colden's History of the Five Indian Nations was published in New York; and the ability

and political importance of the work, as well as the interest of its minute details, carried it through several editions in London. It was of great significance in its day, and though that be long passed, it is still sought after by the learned and curious in the history of mankind. But for a quarter of a century and more it occupied the serious consideration of the ablest and best intentioned colonial politicians, both in America and England, and must ever remain a monument of the enlightened mind and marvellous industry of its author.[1]

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[1] The second edition (one volume, 8vo) was published in London in 1750, and is thus entitled,—"The History of the Five Indian Nations of Canada, which are the barrier between the English and French in that part of the world; with particular accounts of their religion, manners, customs, laws, and government; and a true account of the present state of our trade with them, and the intrigues and attempts of the French to engage them from us, a subject nearly concerning all our American plantations, and highly meriting the consideration of the British nation: In which are shewn the great advantages of their trade and alliance to the British nation: By the Honourable CADWALLADER COLDEN, Esq., one of His Majesty's Counsel, and Surveyor-General of New York." A third edition of this work was published in London in 1755, in two volumes, 12mo.

Governor Colden was often among these Indians, and thoroughly understood their history, habits, and dispositions. He was a great favourite with them, and one of the old chiefs of those formidable fellows the *Mohawks* paid him the "*compliment of naturalisation into the Five Nations*," of which he gives this amusing account:—"The first time I was among the *Mohawks*, I had this compliment from one of their old *Sachems*, which he did by giving me his own name, *Cayenderongue*. He had been a notable warrior, and he told me that now I had a right to assume to myself all the acts of valour he had performed, and that now my name would echo from hill to hill, all over the Five Nations. As for my part, I thought no more of it at that time than as an artifice to draw a belly-full of strong liquor from me for himself and his companions; but when about ten or twelve years afterwards my business led me again among them, I directed the interpreter to say something from me to the *Sachems*. He was for sometime at a loss to understand their answer, till he had asked me whether I *had any name* among them. I then found that I was really known to them by that name, *Cayenderongue*, and that the old *Sachem*, from the time he had given me his name, had assumed another to himself. I was adopted at that time into the tribe of *the Bear*, and for that reason I often afterwards had the kind compliment of *Brother Bear*."

Each of the original Five Nations, says Colden, was divided into three tribes—the *Tortoise* or *Turtle*, the *Bear*, and the *Wolf*.

In astronomical science, however, and profound mathematical speculations, it was, that Cadwallader Colden chiefly displayed the great power of his mind. We have already seen how, when only in his twenty-seventh year, before he had quitted this country to cast his lot in the great colonial province it became his fate to govern, he had attracted the particular notice of the illustrious Halley, one of England's greatest astronomers, and gained the applause of the Royal Society of London. It is pleasant, on turning from the historian who in our own day has treated the venerable Governor so unkindly and unfairly, to find him mentioned with appreciative interest in a letter from *Thomas Jefferson*, surely one of the most accomplished of the American revolutionists. Writing to a scientific friend, Mr Hopkinson of Philadelphia, February 1786 (about nine years after the death of Colden), he says:—

> You are punctual, and almost the only one of my correspondents on whom I can firmly rely for the execution of commissions which combine a little trouble with more attention. I am very sorry, however, that I have three commissions to charge you with, that will give you more than a little trouble. Two of them are for *Monsieur de Buffon*. Many, many years ago, *Cadwallader Colden* wrote a very small pamphlet on the subject of *attraction* and *impulsion*, a copy of which he sent to *Monsieur de Buffon*. He (Buffon) was *so charmed with it* that he put it into the hands of a friend to translate, who lost it! It has ever since weighed on his mind, and he has made repeated trials to have it found in England. But in vain. He applied to me. I am in hopes, if you will write a line to the booksellers of Philadelphia to rummage their shops, that some of them may find it. Or, perhaps, some of the careful old people of Pennsylvania or New Jersey may have preserved a copy.[1]

[1] See Memorials, Correspondence, and Private Papers of Thomas Jefferson, late President of the United States, vol. i. p. 392.

In all probability this was the germ, or groundwork, of the great treatise which occupied Colden's teeming brain for the most part of his long life, and withdrew him in a great measure from various other scientific pursuits and speculations, in all of which, however, he had not failed to leave the mark of his universal genius. But the labour of his life was that which he entitled, "The principle of action in matter, the gravitation in bodies, and the motions of the planets explained from their principles." In short he entered fearlessly, and deeply, into that recondite path of physics which the immortal Newton has made his own so completely as to render it almost tabooed against all human doubt or competition. America, however, is proud of the brave old Briton, Cadwallader Colden, whose genius ranged through all the sciences, while his firm judgment ruled for England the stormy province of New York. That distinguished American author, Dr Miller, names him with honour in various pages of his learned "Retrospect of the Eighteenth Century," in America. "Besides the learning and talents," he says, "of native citizens, Lieutenant-Governor Colden, mentioned in several former chapters, and Professor Minto, both of *North Britain*, deserve to be mentioned with honour, as having contributed to the cultivation of mathematical and astronomical science in America." And the same author, in another page, says, "Nor has America been destitute of zealous students, and successful observers in astronomy. Besides the illustrious Rittenhouse, whose name alone would rescue his country from the charge of deficiency in astronomical genius, we can boast of Colden, Winthrop, Ewing, Bowdain, Madison, &c. &c.;" and he refers us to the "Transactions

of the American Philosophical Society," and to "Memoirs of the American Academy of Arts and Sciences," as affording ample evidence of the genius of the men he names.

During the progress of these family researches, and after many sheets of the present work had gone to press, I had the good fortune to discover that two folio volumes of Colden's scientific manuscripts, with some autograph letters relating to them, were preserved in the library of the College of Edinburgh. This was the more important for my purpose, that the great mass of his manuscripts are beyond my reach in America; and I was indebted for all I knew on the subject to the various intelligent American authors whom I have quoted, and whose testimony, fortunately, is more than sufficient to rescue the character of Cadwallader Colden from the hands of the latest American historian. Leaving the contents of these precious volumes to be noted in the sequel, I must here record the few specimens of Colden's scientific correspondence which this collection affords, being all holograph, and unpublished[1]:—

Colden's Letters to Collinson.

I.

Coldengham, May 27, 1754.

Sir,—I have entertained an opinion since I received the observations of the sun, in the year 1749, from Lord Mansfield's observatory, which may, if true, be of some consequence in astronomy. It seems to me evident from these observations, whether the sun's place be calculated by Dr Halley's tables, or in a *new method* which I use, that the obliquity of the ecliptic is less at either solstice

[1] For my knowledge of this valuable collection of Colden Papers, which might have escaped me altogether, I must acknowledge my obligation to Mr David Laing of the Signet Library, whose command of the sources of information *in apicibus historicis* is as universal as he makes it universally and pleasantly available.

than at the equinox, and that it is less at the winter solstice than at the summer. Now, I beg the favour of you to let me know Dr Bradley's opinion of this; because he can be better assured, from his observations of the fixed stars, whether there be any real foundation for this opinion, than perhaps any other can be. Any apparent motion of the fixed stars (excepting that from the rotation of the earth) can only arise from the progressive motion of light, or from some change in the position of the earth's axis, or from the refraction of light. All these produce different effects in different stars, according to their several positions, and may sometimes unite in the same apparent effect; at other times one may destroy or lessen the effect of the others. It requires great skill in astronomy to judge from which of these, jointly or severally, any apparent motion arises. No man is more capable of removing this doubt which I entertain, of the difference in the obliquity at different times of the year, than Dr Bradley is. I shall be exceedingly obliged to him, if he will favour me with his opinion, and you will add to the obligations I am under, by procuring it for me.—I am, Sir, your most humble servant, Cadwallader Colden.

(*Addressed*)—To Mr Collinson.

II.

Coldengham, Novr. 29th, 1754.

Dear Sir,—I now send you a box with some plants of the *Saracena*, to be forwarded by Mr Alexander's care of them. I doubt much of their growing in your garden, because they naturally grow among a long thick moss. The tops of the leaves are only to be seen above the moss, and the roots seem not to descend to the soil, but to receive their nourishment from the moss itself.

I have been more at leisure these twelvemonths passed than I had been for several years before. I have taken this opportunity to re-examine *The Principles of Action in Matter*, with a view to abandon them, if I could not free them from any just objections which have been made to them; especially from any appearance of contradiction to what Sir Isaac Newtone has demonstrated. After the greatest attention and care I am capable of, *I still remain persuaded of their truth*, and that they may be of use in every part of Physics. If the truth of them had not appeared clearly to me, I should not have given you this trouble. For this reason I send them to you, and intreat you earnestly to use your interest with some of your friends to read them over as now corrected and amended. There is a new piece added, *on Light and Colours*, which I formerly

mentioned to you, also for examination. I must refer you to an epistle directed to you, and prefixed to the performance, for further particulars.

One instance, I think, of their use, is in discovering equations for to find the sun's place at any time. I inclose a table for that purpose, which I think agrees better with the observations of the sun than any table I have seen; and I have not been negligent in comparing. It must give me the greatest satisfaction if Dr Bradley would take tho trouble to examine it. I inclose a copy of it, to be given to him. Please to send the inclosed to Lord Macclesfield, when it may be convenient. I have no inclination to have anything, from me, to be published before it shall be approved by better judges. Mr Franklin tells mo that *he* did not send what I wrote to him on *Water Spouts*. I must have sent it myself, though the doing of it has entirely escaped my memory. This decay of my memory is the worst effect which, as yet, I perceive from old age. However, as to the facts in that paper, I am as well assured of the truth of them as I can be of anything by my senses. About six weeks since I answered your favour of the 30th of July, relating to the discourse you had with my Lord Halifax. Pray take tho trouble of seeing him once more, as I desired in that letter. Two letters on a different subject, which I think he may have received sinco you saw him, may have somo effect on him. I can do nothing more than repeat the excuse, which I have again and again made, for giving you such trouble, and that I am, very affectionately, dear Sir, your most obliged, humble servant,

Cadwallader Colden.

Mr Collinson.

(*Addressed on the Back*)—Mr Collinson, F.R.S., Grace Church Street, London.

III.

Coldengham, October 2d, 1756.

Dear Sir,—I have your favour of the 19th of May, to answer which I shall take another opportunity.

With this you will receive the remaining parts of the manuscript on the Principles of Action, and which finish what I intend to write on this subject. Please to communicate this also to Dr Bevis for his examination. The reasons for my sending this before I know his opinion of what I last sent, are,—the situation of our affairs at present is such that my papers may be in danger of being lost, and that I think he will be the better able to judge of every part when he has the whole before him. I should not have troubled you, nor any else, so much as I have done, if I had not been persuaded, after several

years' attention to the subject, that these papers contain discoveries which, in proper hands, may become generally useful, notwithstanding of many errors I may have fallen into in treating of this subject, or in making deductions from principles which I am clearly persuaded are true.—Your affectionate, humble servant, CADWALLADER COLDEN.

To Mr Peter Collinson, F.R.S., Merchant in London.[1]

Colden and Botany. Jane Colden and Linnæus.

In one of these letters it will be observed that Colden pauses for a moment on his researches in botany, and then returns to his more engrossing pursuits in the highest department of physical science. He was quite competent, however, to fill a professor's chair in botany; and his daughter, Jane Colden, my mother's maternal grand-aunt, was scarcely less distinguished in that science than the "old man," whose scholar and favourite child she was. Dr Miller, in his learned Retrospect of the eighteenth century, quoted in a former page, thus refers to their correspondence with Linnæus, the most illustrious of modern naturalists:—

Cadwallader Colden, Esq., Lieutenant-Governor of the province of New York, who was before mentioned, had a great fondness for botanical studies. He made very valuable communications of American plants to Linnæus, especially those which appear under the title of *Plantæ Coldenhamenses* in the *Acta Upsalensia* for 1743 and 1744. And his name is mentioned frequently, and with great respect, in the *Species Plantarum* of that distinguished botanist. This gentleman's daughter, Miss Colden, was also fond of botany, and corresponded with Linnæus, who, in honour of one or both of them, in his *Flora Zeylanica*, gave to a plant of the *tetrandrous* class the name of *Coldenea*.

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[1] Collinson was distinguished as a botanist, and in almost every other branch of science. See *Bibliotheca Britannica*.

But *place aux dames.* Old Cadwallader's laurel crown was florescent enough without borrowing a leaf from his daughter's. Dr Francis expressly assigns the compliment to the young lady; over which, doubtless, her father had greatly rejoiced. He tells us,—"Dr Colden began at an early period of his life to pay great attention to the vegetable productions of America, in which delightful study his daughter afterwards became distinguished, and *in honour of whom* Linnæus named a plant of the tetrandrous class, *Coldenea.* This plant *Miss Colden had first described.*"

I am so fortunate as to be able to record a holograph letter from this gifted young lady (*query?*), relating to the plant Linnæus honoured with her name. It is addressed to "Dr Charles Alston, Physician, and Professor of Botany in the University of Edinburgh."

New York, 1st May 1756.

Sir,—I have the unexpected honour of your very obliging favour of the 8th of September last, but blush to think how much you will be disappointed in the expectations Dr Garden has raised in you, if ever you should have a further knowledge of me. His fondness for encouraging the study of botany made him pass the most favourable judgment on the little things I have done in that way. It must be, no less, a desire to encourage the study of this delightful science could induce you to condescend to honour me with an invitation to correspond with you. If I can in any way serve you, either by sending you seeds, or the characters (such as I am able to form) of our native plants, I shall always be proud of obeying your commands; and shall at this time so far presume on the liberty you give me as to send you the characters of a plant which my Father tells me he takes to be the same that Dr *Gronovius* in his *Flora Virginica* calls *Panax foliis ternis ternatis*,—page 147. I shall be glad to know whether you think it *a new plant;* if not, to what Genus you suppose it belongs; to which if you will please to add any corrections, or be so good as to give me any instructions in botany, they will be most thankfully received.

You complaisantly intimate that anything that I shall communicate to you

shall not be concealed. But this I must beg as a favour of you, that you will not make anything public from me till (at least) I have gained more knowledge of plants, and then perhaps I shall be able to make some amendments to my descriptions.—I am, Sir, your greatly obliged and most humble servant,

Jane Colden.

P.S.—If you favour me with your correspondence your letters will come safe, put under cover and directed to Alexander Colden, Esquire, Postmaster at New York. Please to let me know what is the best manner of conveying a letter, or anything else to you. We have frequent conveyances from this place to London, but seldom any directly to Scotland.

Attached to this letter there is added, also holograph of Miss Colden, a learned description of all the characteristics of the plant named therein, of which I may here quote the conclusion :—"This plant carries its flowers in a regular simple *umbal*, composed of many short spokes, with an *involucrum*, consisting of five or six lancet-shaped leaves. The flowers are white and very small. It flowers in April, and grows in moist ground. The whole plant,—that is, the stalk and leaves,—decay as soon as the seed is ripe, which is about the end of May, and appears no more till the next spring."[1]

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[1] Miss Colden's letter has been preserved, along with an interesting MS "Account of the Family of Alstons, by Dr Charles Alston, Professor of Botany and Materia Medica," now in possession of Mr David Laing, who kindly permits me to print the letter.

In *Stoever's* Life of Linnæus (translated from the German by Joseph Trapp, a German divine), in the enumeration of his foreign correspondents, which includes Princesses and other high-born and gifted ladies, *Jane Colden* finds an honoured place. "At New York, in America, he (Linnæus) had a most enthusiastic admirer in Miss Colden. As flattering as the approbation of the fair sex must have been to him, as gallantly did he acknowledge it. He preserved their names in the vegetable reign, and denominated, among others, two beautiful plants *Monsonia* and *Coldenea*"—(P. 104). Lady Ann Monsón was his London correspondent of the fair sex.

Colden's Invention of Stereotype Printing.

Among the most notable points illustrative of the life and character of Colden is the fact that he was the intimate friend and constant correspondent of Benjamin Franklin, the greatest man America has produced. "With Dr Franklin,"—says Colden's biographer, Francis,—"he was a constant and intimate correspondent, and they *regularly communicated to each other* their philosophical and physical discoveries, *especially in electricity.* In their letters are to be observed the first dawning of many of those discoveries which Dr Franklin has communicated to the world, and which so much astonished and benefited mankind. In a letter to one of his friends Dr Franklin gives an account of the organisation of the American Philosophical Society, in which he mentions that Dr Colden *first suggested the idea and plan of that institution.*" Unfortunately none of this valuable correspondence is within my reach. But this author has preserved, in the American Philosophical Register (1811), two letters that had passed between Colden and Franklin upon a curious and interesting subject, being no less than the *independent invention* by the former of that ingenious method of printing now known as *Stereotype.* Years after Colden's death, Dr Francis, who, along with Dr Hosack, edited this Philosophical Register, published therein a paper, found among Colden's unpublished manuscripts, which he thus introduces:—"We are gratified in being able to lay before our readers the following paper, entitled, 'New method of printing,' found among the papers of the late

Lieutenant-Governor Colden, and addressed to Dr Franklin, lately presented to us for publication by C. D. Colden, Esq., of this city."[1] The following letter accompanies the very elaborate paper in question. It appears without either superscription or signature in the American publication, being doubtless the original draft by Colden of the letter to his illustrious friend, along with his own copy of the important paper which accompanied it.

Cadwallader Colden to Benjamin Franklin.

Ever since I had the pleasure of a conversation with you, though very short, by our accidental meeting on the road, I have been very desirous to engage you in a correspondence. You was pleased to take some notice of a method of printing which I mentioned to you at that time, and to think it practicable. I have no further concern for it than as it may be *useful to the public*. My reason for thinking so, you will find in the inclosed copy of a paper which I last year sent to Mr Collinson in London. Perhaps my fondness for *my own conceptions* may make me think more of it than it deserves, and may make me jealous that the common printers are willing to discourage, out of private interest, any discovery of this sort. But as you have given me reason to think you zealous in promoting every useful attempt, you will be able absolutely to determine my opinion of it.

I long very much to hear what you have done in your scheme of erecting a society at Philadelphia for promoting of useful arts and sciences in America. If you think of any thing in my power whereby I can promote so useful an undertaking, I will with much pleasure receive your instructions for that end. As *my son Cadwallader bears this*, I hereby think myself secured of the pleasure of a line from you by him.

Benjamin Franklin to Cadwallader Colden.

Philadelphia, November 4, 1743.

Sir,—I received the favour of yours, with the proposal for a new method of

[1] Cadwallader David Colden, the Governor's *grandson*, of whom afterwards. See also before, p. 142.

printing, *which I am much pleased with;* and since you express some confidence in my opinion, I shall consider it very attentively and particularly, and in a post or two send you some observations on each article.

My long absence from home in the summer put my business so much behind hand that I have been in a continual hurry ever since my return, and had no leisure to forward the scheme of the society. But that hurry being now near over, I propose to proceed in the affair very soon, your approbation being no small encouragement to me.

I cannot but be fond of engaging in a correspondence so advantageous to me as yours must be. I shall always receive your favours as such, and with great pleasure.

I wish I could by any means have made your son's longer stay here as agreeable to him as it would have been to those who began to be acquainted with him.—I am, Sir, with much respect, your most humble servant,

B. Franklin.

Dr Colden.

Independently of the interesting fact that these two learned men, whom nature seems to have nearly identified in their genius, pursuits, and dispositions (although of different creeds as to the colonial revolt), were in the constant habit of interchanging their speculations and discoveries in electricity, astronomy, and the higher walks of the mathematics (which appears to have commenced about this time) there was a special reason for Colden doing so in the present instance. Franklin in his early youth was apprenticed to his elder brother, who was a printer by profession; and in course of time young Franklin became thoroughly master of and devoted to that important craft. Indeed for many years of his life it was the profession by which he also earned his bread, and to which he brought the powers of a great mind, destined to take a much higher flight in art and science.

Now, the invention (for it was not a mere crude speculation) which Colden submitted to his illustrious friend in ample and elaborate detail, was one as to the value and originality of which Franklin was eminently qualified to judge. It would be extremely interesting to know what judgment he did eventually pronounce, which not improbably may yet be lurking among the voluminous inedited mass of Colden's papers, still preserved in America. This much, however, is sufficiently proved by the above correspondence: 1st, Colden conscientiously submitted the scheme to Franklin as a *perfectly original conception of his own;* 2d, Franklin received it as a new *modus operandi* in his own vocation of printing, which he himself had previously formed no conception of whatever, and as deserving his *attentive and particular consideration.* Dr Francis thus comments upon the correspondence:—

> The mode of printing above described is now known by the term *Stereotype;* and it is a curious fact that the stereotype process, said to have been invented by M. Herhan in Paris, and now practised by him in that city, under letters-patent of Napoleon, is precisely the same as that spoken of by Dr Colden more than sixty years ago. It is more than probable that when Dr Franklin went to France he communicated Dr Colden's "*new method of printing*" to some artists there, and that it lay dormant until about sixteen years since, when Herhan, a German, who had been an assistant to M. Didot, the printer and typefounder of Paris, but then separated from him, took it up in opposition to M. Didot. We have conversed with gentlemen who have seen M. Herhan's method of stereotyping, and they describe it to be exactly what Governor Colden invented. This fact established, there can be no doubt that M. Herhan is indebted to America for the celebrity he has obtained in France.

This hypothetical laurel Cadwallader *Cayenderongue*, of "The Bear," would undoubtedly have declined. *The world* does not owe

This is not printed 97

either to Colden or Franklin that ingenious and useful corrollary to the divine art of printing now known by the classic term *stereotype*, from στερεος solid or entire, and τύπος a type. Colden's conception of it he simply named "a new method of printing;" but he so completely enunciates his conception, in all its details, that the Greek nomenclature fits it to a τ. Before his confidential communication to Franklin he had long studied and fully ripened the system in his own mind, describing the whole method and merits of the stereotype process, along with precise directions for constructing, and operating with, the stereotype blocks (hence sometimes called "block-printing"), suggesting at the same time various materials, of metal or wood, for making the blocks, and also pointing out the special advantages it would afford to book-making and authorship. All this proves, beyond question, that he had fully realised in his own mind the art of *stereotype* long prior to the year 1743, the date of communicating it to Franklin, whose own vocation was that of a master printer. But Colden had neither time nor money, and neither had Franklin, to realise it practically. Their heads and their hands were full of the elements of Nature, the stars of Heaven, and the American Revolution. It may be said, however, for Colden, that this mere by-play of his genius is the earliest, and, indeed, the only known systematic exposition fully developing the mechanical art in question, and emanating from a mind that was both philosophical and mechanical in a high degree. He himself thus modestly concludes his elaborate essay :—

Whether the method I propose will answer the end designed, or whether it be practicable, I cannot with sufficient assurance say; because we have no artists

in this country who can make the experiment, neither can they have encouragement sufficient to tempt them to make the trial. However, I hope to be excused by *the use* of the design, and as it may chance to give some hints to a skilful person to perform effectually what I only aim at in vain. If the charge of lead, or metal, plates be thought too great, I know not but that the impression may be made on thin plains of some kinds of wood, such as lime-tree, or poplar, which have a soft smooth grain when green, and are hard and smooth when dry.[1]

The eminently fruitful versatility of Colden's genius is the more remarkable that it did not prevent him from following out to their conclusion his very profound speculations in mathematical and physical science, although it rendered them less complete than otherwise they might have been. The result of these severer studies, in which he was no charlatan, was to persuade himself that they were so far crowned with success as to enable him to supplement, with some new and valuable ideas, Sir Isaac Newton's immortal discovery of *universal* gravitation. This daring speculation was, however, only to a certain limited extent, which he always

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[1] It would have gratified the "old man" had he known that, long after his own conception of it, Holland, France, and Scotland contested the merit of this invention, and that the palm has been generally bestowed upon William Ged, a goldsmith of the last century, in Edinburgh, where Colden obtained his University education. Ged, however, although he succeeded in printing some specimens about the very time that Colden was busy with the theory in America, not only failed to establish the process (which he merely took up as an ingenious practical workman), but both he and some of his family, who after his death struggled to carry it on, were ruined in the attempt.—See "*Biographical Memories of William Ged, including a particular account of his progress in the art of block-printing,*" published in London 1781; a thin and sad eleemosynary brochure, that itself looks as if it had died of starvation.

The writer of these pages submitted Colden's essay to his very intelligent printer, Mr Robb, who shewed it to a practical stereotyper, and their concurrent opinion is,—"That it is a fair proposal of stereotyping,—that it is *essentially the idea*, though in practice the method is different,—that, in other words, practice has made perfection."

carefully qualified and explained. Of this afterwards. Meanwhile, as a further preparative towards a just estimate of the value of Colden's own *iter ad astra*, another passage must be quoted from the interesting notices of him preserved in Allen's Biographical Dictionary.

But the subject which drew Mr Colden, at one time of his life, from every other pursuit, was what he first published under the title of *The Cause* of Gravitation; which, being much enlarged, appeared, in 1751, under the title of *The Principles of Action in Matter*, to which is added a treatise on Fluxions. He died in the firm persuasion that, however he might have erred in the deductions, the grand fundamental principles of his system were true, and that they would at length be recognised as such in the world. This book cost him many years of close and severe study. He prepared a new edition of it, with elucidations of such parts as have been subjected to objections, and with large additions. At the time it was prepared for the press, he was so far advanced in years, that he despaired of living to see it published. He therefore transmitted the manuscript to Dr *Whittle*, [*sic.*] Professor of Medicine in the University of Edinburgh. The fate of the work since that time is unknown.[1] Of his other manuscripts, many, through the variety of hands into which they have fallen, have become mutilated, and a great part of some of these is entirely lost. Among these is an *Inquiry into the Operation of Intellect in Animals*, a piece of great originality. Another on the *Essential Properties of Light*, interspersed with observations on *Electricity*, *Heat*, and *Matter*, &c.: An *Introduction to the Study of Physic*, in the form of instructions to one of his grandsons, and dated in the eighty-first year of his age [1769]: An *Inquiry* into the Causes of metal medley *swimming in water*: An *Essay on Vital Motion*: And, lastly, *Observations on Mr Smith's History of New York*, comprehending memoirs of the public

[1] This explains the fact of a portion of the Colden papers being found in the Edinburgh College Library. The odd name "*Whittle*," as it is given in Allen's Dictionary, is manifestly a misnomer. In the *Bibliotheca Britannica* we find,—"Robert *Whytt*, M.D., F.R.S., Fellow of the Royal College of Physicians, and Professor of Medicine in the University of Edinburgh, born there 1714, died 1766."

[2] Dr Francis states that these "Critical Observations" were written in the form of letters to his eldest son, Alexander Colden, my mother's maternal grandfather, of whom afterwards

transactions in which he (Colden) was conversant. He complains of the partiality of Mr Smith, and supposes that he is incorrect in many particulars.[1]

Colden's Principles of Action in Matter: The Gravitation of Bodies; and the Motion of the Planets explained from those principles.

It is not within the compass of my abilities to attempt a critical commentary, or within the limits of this "Memorie" to review, even in the most cursory manner, the profound philosophical and mathematical treatise which bears this title. No one but so transcendental a mathematician, so accomplished an historian of the "Progress of Mathematical Science since the revival of letters in Europe," as the late Professor Playfair, would be competent to the task. I cannot discover, from the well known and brilliant "Dissertation," which the history of science owes to John Playfair, that he had ever examined the Colden papers preserved in that Scotch seminary of learning, one of whose brightest ornaments he, Playfair, was, and in which Colden himself received his only college education. Had he done so he would either have found, if he differed from Colden, an accomplished opponent in a very profound speculation, who was well worthy of his critical and mathematical pen; or, if he agreed with him, an original genius of his own type, entitled to his generous admiration. Gifted as old Cadwallader was with

[1] To this marvellous amount of brain-work, must be added, that old Cawallader was a classical scholar, and had left his mark in that direction also. Among his multifarious manuscripts, Doctor Francis enumerates "A Translation of the Letters of Cicero, with an Introduction by Cadwallader Colden;" and also, "An Introduction to the Study of Philosophy."

that wonderful grasp of mind, which he retained long beyond the allotted period of human life, blessed with an iron constitution, an indomitable will, and the most imperturbable of tempers, had it been his fate to obtain a University education in England, the country he served so faithfully during her great colonial convulsion, the author of this treatise on the *primary* principles of matter and motion, besides separate treatises on the essential properties of light, electricity, and heat, would have missed, indeed, the barbaric distinction of being styled "*Cayanderongue of the Bear*" (the blue ribband of the *Wampum*), but he would have only aimed at, and doubtless achieved, an honoured place among the *Dii Majorum Gentium* of physical science. But while the great European lights of science, amid vast advantages of scientific education, never for a moment left the field of their fame, the mind of the sorely taxed Governor of New York, occupied ~~as it~~ constantly ~~was~~ with the conscientious fulfilment of arduous and often dangerous public trusts, diverged into every ~~public~~ by-path that held out any temptation for the working of his original genius, which, by this diluting of its powers, became lost to the great walk of science, for which nature had fitted him, and which he loved best of all.

The first complete, though by no means perfect edition of his great work, he dedicated to the scientific Earl of Macclesfield in the following modest letter :—

The deference that is justly due to your Lordship's opinion in regard to the subject discussed in the following sheets, induces the Author, with the utmost respect, to inscribe them to you, being,—

Your Lordship's most humble servant,

CADWALLADER COLDEN.

This was published in 1751, by Dodsley of London, in a quarto volume, amounting to (inclusive of a very learned preface, and a profound "Introduction to the Doctrine of Fluxions, or the Arithmetic of Infinites") two hundred and twenty pages. The work, profoundly and logically treated throughout, was divided into eight chapters, and these again into many corresponding sections. To enumerate the heads of these chapters will suffice to give some idea of the vast design of the undertaking. 1*st*, "Of the principles of action in matter, meaning the *primary* primciples." 2*d*, "Of the *cause* of gravitation." 3*d*, "Of the motion of the planets." 4*th*, "Of the mean distances and excentricity of the planets and comets." 5*th*, "The rotation of the sun and planets round their axes, the inclination of their axes to the ecliptic, and the phenomena thereon depending." 6*th*, "Of some other phenomena abstracted from the motion of the planets." 7*th*, "Of the intelligent Being, and of the formation and duration of the several systems in the universe." 8*th*, "The application of the preceding theory of the motion of the planets to the motion of the earth, and compared with Mr Hamsteed's observations." These great speculations were accompanied with various diagrams and geometrical figures necessary to illustrate them. In his preface, a profound resume of the whole treatise, and its object, the following sentence occurs:—

"Sir Isaac Newton nowhere gives the *cause* of the motion of the planets, but only *supposes* a certain degree of velocity to have been impressed upon them, in consequence of which no *reason* is given for the most general and obvious phenomena of the motion of the planets; as, particularly, for the different distances at which the planets, severally, and the comets, revolve, and the different eccentricity of their orbits. The Author (Colden) pretends to have discovered

the true *cause* of the motion of the planets and comets, and from thence to deduce the reason of all the phenomena, with that exactness as to agree with the most accurate observations, and even to point out some irregularities, from their causes, which have not been discovered by observation, by reason of the smallness and imperfection of astronomical instruments in common use.

Matter still to print